



# **NAVAL POSTGRADUATE SCHOOL**

**MONTEREY, CALIFORNIA**

## **THESIS**

### **SCHOOL SHOOTINGS: LAW ENFORCEMENT AND SCHOOL DISTRICT NETWORKING**

by

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December 2013

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<b>REPORT DOCUMENTATION PAGE</b>			<i>Form Approved OMB No. 0704-0188</i>	
Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington, DC 20503.				
<b>1. AGENCY USE ONLY (Leave blank)</b>		<b>2. REPORT DATE</b> December 2013	<b>3. REPORT TYPE AND DATES COVERED</b> Master's Thesis	
<b>4. TITLE AND SUBTITLE</b> SCHOOL SHOOTINGS: LAW ENFORCEMENT AND SCHOOL DISTRICT NETWORKING			<b>5. FUNDING NUMBERS</b>	
<b>6. AUTHOR(S)</b> Tigran Topadzhikyan				
<b>7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES)</b> Naval Postgraduate School Monterey, CA 93943-5000			<b>8. PERFORMING ORGANIZATION REPORT NUMBER</b>	
<b>9. SPONSORING /MONITORING AGENCY NAME(S) AND ADDRESS(ES)</b> N/A			<b>10. SPONSORING/MONITORING AGENCY REPORT NUMBER</b>	
<b>11. SUPPLEMENTARY NOTES</b> The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government. IRB protocol number ____N/A____.				
<b>12a. DISTRIBUTION / AVAILABILITY STATEMENT</b> Approved for public release; distribution is unlimited			<b>12b. DISTRIBUTION CODE</b> A	
<b>13. ABSTRACT (maximum 200 words)</b>  School shootings have happened in the past and will happen again. The history of school shootings prompts all stakeholders to look at ways to prevent them from happening, and if they do happen, to be resilient. Change is needed in the prevention of school shootings. The case studies of Virginia Tech, Sandy Hook, E. O. Green Junior High, and Beslan school shootings reveal that the lack of information sharing and lack of communication were flaws; and the incidents might have been preventable. Prevention is a key element that both schools and law enforcement need to improve upon. In order to make strides in prevention, there needs to be advanced planning, continuous information sharing amongst stakeholders regarding those individuals that conduct themselves in ways that cause concern, a change in organizational culture with law enforcement and schools regarding sharing information, legal solutions, as well as resiliency if a shooting does occur. School shootings can never be completely preventable; however, it is feasible to have systems that prevent school shootings and increase the safety of the students and the community.				
<b>14. SUBJECT TERMS</b> School shootings, law enforcement, collaboration, communication, Sandy Hook, Beslan, Virginia Tech, Green Jr. High, Columbine, information sharing, planning, organizational culture, challenges, implementation, legal, school shootings, COMPSTAT			<b>15. NUMBER OF PAGES</b> 113	
			<b>16. PRICE CODE</b>	
<b>17. SECURITY CLASSIFICATION OF REPORT</b> Unclassified	<b>18. SECURITY CLASSIFICATION OF THIS PAGE</b> Unclassified	<b>19. SECURITY CLASSIFICATION OF ABSTRACT</b> Unclassified	<b>20. LIMITATION OF ABSTRACT</b> UU	

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**SCHOOL SHOOTINGS: LAW ENFORCEMENT AND SCHOOL DISTRICT  
NETWORKING**

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**MASTER OF ARTS IN SECURITY STUDIES  
(HOMELAND SECURITY AND DEFENSE)**

from the

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## **ABSTRACT**

School shootings have happened in the past and will happen again. The history of school shootings prompts all stakeholders to look at ways to prevent them from happening, and if they do happen, to be resilient. Change is needed in the prevention of school shootings. The case studies of Virginia Tech, Sandy Hook, E. O. Green Junior High, and Beslan school shootings reveal that the lack of information sharing and lack of communication were flaws; and the incidents might have been preventable. Prevention is a key element that both schools and law enforcement need to improve upon. In order to make strides in prevention, there needs to be advanced planning, continuous information sharing amongst stakeholders regarding those individuals that conduct themselves in ways that cause concern, a change in organizational culture with law enforcement and schools regarding sharing information, legal solutions, as well as resiliency if a shooting does occur. School shootings can never be completely preventable; however, it is feasible to have systems that prevent school shootings and increase the safety of the students and the community.

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## **LIST OF ACRONYMS AND ABBREVIATIONS**

ACLU	American Civil Liberties Union
BPD	Blacksburg Police Department
CDC	Centers for Disease Control and Prevention
EMS	Emergency Medical Services
FEMA	Federal Emergency Management Agency
FERPA	Family Educational Rights and Privacy Act
FSB	Federal Security Service
G.R.E.A.T.	Gang Resistance Education and Training program
HIPAA	Health Insurance Portability and Accountability Act
LASP	Los Angeles Unified School District has the Los Angeles School Police Department
MVD	Ministry of Internal Affairs
NIMBY	Not-In-My-Backyard
REMS	Readiness and Emergency Management for Schools
POTUS	President of the United States
SAVE	Schools against Violence in Education
SRO	School Resource Officer
STIC	Statewide Terrorism and Intelligence Center
SPI	Superintendent of public instruction
USSS	United States Secret Service
VTPD	Virginia Tech Police Department

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## EXECUTIVE SUMMARY

### A. INTRODUCTION AND BACKGROUND

The United States Department of Education reports in the *Digest of Education Statistics* that over 74 million people were enrolled in American schools and colleges in 2008.<sup>1</sup> The primary threat to our schools is an active shooter incident. If there is an active shooter, the ultimate consequence is loss of life. There will also be a nationwide impact; fear amongst students, parents, school officials, and the community that a similar incident could happen to them. In any school environment, the threat of an active shooter exists. The situation exists because of social and psychological issues with the aggressors as well as the “copycat effect.”<sup>2</sup> Notable school shootings that have been studied have been Columbine High School, Virginia Tech, and Sandy Hook Elementary School. These incidents showed a lack of preplanning and collaboration between law enforcement and the schools. There has been research done on school shooters, the events leading prior to the shooting, the demeanor and actions of the shooter, communication from the shooters before the incident, and the planning phase of school shooters.

Since there are known early warning signs that indicate a potential act of violence by those students, there needs to be collaboration in the forefront between law enforcement and the schools in the identification of and information sharing of the students that pose a risk of engaging in a violent act on campus. While schools have done their research and prepared plans, and law enforcement has modified its tactics for responding to active shooters, the two have not come together to work on the issue of identification, prevention, and collaboration ahead of time of those students that can become a threat.

Exploring the topic of preventing school shootings as it relates to the identification of factors that are precursors and weak signals, and combining those factors

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<sup>1</sup> Thomas Snyder and Charlene Hoffman, *Digest of Education Statistics, 2008* (Washington, DC: National Center for Education Statistics, 2009).

<sup>2</sup> Loren Coleman, “The Copycat Effect: School Shootings and Recommendations.” In *Confronting Violence in Our Schools: Planning, Response, and Recovery* (New York: Simon and Schuster/Paraview Pocket, 2004).

with sharing of the information between law enforcement and the school administrators will lead to synergy. The collaborative efforts to minimize the risk of school shootings by continuously sharing information is needed since school shootings will occur in the future, which will lead to additional lives being lost. Preventing school shootings in the first place will reduce liability and fear while enhancing security, and, more importantly, it will save lives. School shootings are low frequency, high risks events;<sup>3</sup> therefore, the collaboration component between schools and law enforcement should be considered. There were four case studies completed that provide opportunities for improvement: Virginia Tech, Sandy Hook, E.O Green Junior High, and Beslan.

## **B. CASE STUDIES**

In the Virginia Tech shooting, a student murdered 32 students and injured 17 other students and faculty in two related incidents on the campus of Virginia Polytechnic Institute and State University. The student started his killing spree in the morning when he went to the dorm room of another student and fatally shot her and then the resident advisor.<sup>4</sup> The Virginia Tech Police Department (VTPD) responded and investigation initially focused on the murdered student's boyfriend as a person of interest and excluded the possibility of a murderer running around on campus.<sup>5</sup> Almost two hours after the initial shooting, campus administrators sent out a carefully worded alert to the campus community regarding the double homicide. As the morning continued after the double murder, coupled with the delay of sending out a mass warning message, students, faculty and staff continued on with their routine business for the day. Classes were not cancelled, and the campus was not placed on lock down.

After the first shooting, the shooter went to his dorm and changed out of his blood-stained clothing, accessed his campus email, deleted items, and wiped out his

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<sup>3</sup> Patrick N. Donovan, "Leading Community Risk Reduction" (master's thesis, Naval Postgraduate School, 2008).

<sup>4</sup> Virginia Tech Review Panel, *Mass Shootings at Virginia Tech, April 16, 2007, Report of the Review Panel* (Fairfax, VA: Virginia Tech Review Panel, 2007), 78.

<sup>5</sup> *Ibid.*, 79



account. He then went to a post office and mailed his manifesto to a news agency.<sup>6</sup> The shooter then returned to campus where he had brought his weapons, almost 400 rounds of ammunition, magazines, chains, and a hammer with him. He chained shut the main entrances at a campus building and left a note stating that a bomb would go off if anyone attempted to remove the chains. A faculty member found the note and notified a school administrator instead of calling the police department.<sup>7</sup> Students found the doors chained, but they did not report it to the police department either. The shooter walked into a classroom and killed the professor and several other students. One student entered the hallway to investigate the sounds and was shot, which created panic.<sup>8</sup> Students called 911 and VTPD responded and arrived within three minutes to the location. In the meantime, the shooter went to other rooms and killed additional professors and students and injuring others.<sup>9</sup> The massacre lasted approximately 10–12 minutes and within that time period, the shooter had killed 25 students and five faculty members, and injured 17 others who were shot but survived. The shooter committed suicide, most likely after hearing the sirens of the police response and shots fired by police at the door locks the shooter had chained. This time, university officials sent out a message that a gunman was loose on the campus within minutes of receiving information from VTPD.<sup>10</sup>

The shooter at Virginia Tech had been on the school's and police department's radar because some of his previous actions had caused them concern. The student was spoken to about aggression in his writings, admonished by the police regarding harassing students, placed on a psychiatric evaluation hold for being a danger to himself, and had been sent to psychological counseling sessions; these were all treated as separate incidents. Synthesis did not occur, and there was a lack of communication between Virginia Tech administrators and their own police department.

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<sup>6</sup> Ibid., 86

<sup>7</sup> Ibid., 89.

<sup>8</sup> Ibid., 90.

<sup>9</sup> Ibid., 91.

<sup>10</sup> Ibid., 92.

In the Sandy Hook Elementary School shooting, the Newtown, Connecticut Police Department received several 911 calls regarding an active shooter. The shooter was former student of the school that was dressed in military apparel and had armed himself with several semi-automatic handguns, a military style assault rifle and hundreds of bullets with him when he entered the school. Once he entered the school, he shot and shooter killed 20 children and six adults, ultimately turned the gun on himself and committed suicide.<sup>11</sup> The shooter in this case had previously attended the school he later returned to shoot up. He had been identified by school officials previously as someone that had psychological issues that needed to be monitored. The day prior to the shooting at the school, the shooter had gone to the school and created a disturbance. That incident was not reported to the police department where it would have created an opportunity to investigate the shooter at the time he caused a disturbance.

The Green Junior High School shooting involved an eighth grader at the school and had started to be open with his homosexuality and wearing feminine clothing at school. His outward homosexual expression caused the other male students at the school to taunt him with homosexual slurs, trip him, or avoided contact with him.<sup>12</sup> Another 14-year-old student who attended Green Junior High School with the victim, Larry King, fatally shot him because of the advances the homosexual student displayed toward the shooter.<sup>13</sup>

The shooter went to school in the morning and then returned home and retrieved his father's loaded .22-caliber revolver. The shooter concealed the firearm in a towel, stuffed it in his backpack and returned to school. Once at school he retrieved and stuffed the towel-wrapped gun in his pants, returned to class and took his seat directly behind the victim. After the shooter heard the victim tell a girl he had changed his name to Leticia,

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<sup>11</sup> Connecticut Superior Court, *Police Report Number CFS12-00704559* [search warrant], December 14, 2012.

<sup>12</sup> Catherine Saillant, "CALIFORNIA: Tension High before Slaying: Friend Says Teen Was 'Embarrassed and Mad' After Gay Boy Teased Him in School," *Los Angeles Times*, July 8, 2011, Los Angeles edition, AA.3.

<sup>13</sup> Catherine Saillant, "1,000 Gather in Tribute to Slain Oxnard Teen: A March Organized by Students Focuses on Tolerance in the Wake of the Fatal Shooting of an Openly Gay Boy," *Los Angeles Times*, February 17, 2008, Los Angeles edition, B.3

the suspect took out the gun and shot the victim twice in the head and fled.<sup>14</sup> Immediately after the shooting, the shooter was apprehended by Oxnard police officers. At the time of the arrest, the shooter apologized to the officers for shooting the victim. The shooter had previously told other students that he was going to kill King, and solicited other students to jump and stab the victim. None of the students the shooter solicited reported the threats because they did not take him seriously. After the shooting, investigators found additional weapons in an unlocked closet in the suspect's home, as well as swastikas, ammunition, and an instructional DVD on "Shooting in Realistic Environments."<sup>15</sup>

Ventura County prosecutors filed murder charges as well as a hate crime allegation and the suspect was tried as an adult. The shooter was tried, however the jury was unable to reach unanimous verdict for the crime of murder. Instead, the jury was deadlocked seven to five in favor of voluntary manslaughter. The jury unanimously rejected that the killing was a hate crime filled with white supremacist beliefs. As a result, the trial was declared a mistrial.<sup>16</sup> Instead of trying the case a second time, prosecutors were able to plea bargain for a 21-year sentence for second degree murder and voluntary manslaughter in exchange for a guilty plea.<sup>17</sup> This was a situation where school officials new of tensions that existed on campus, yet there was no communication with the police department to have officers patrol the campus for visibility during school hours or after school for police visibility purposes.

The Beslan siege involved a group of Chechen terrorists that seized the school, taking over 1100 students and family members hostage. By the end, over 330 students were killed and over 700 individuals injured. There was much criticism of law

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<sup>14</sup> Steve Chawkins, "Psychologist Says Teen 'Snapped' and Fatally Shot Student: He Testifies That Brandon McInerney Was in a Dissociative State When He Killed Classmate Larry King," *Los Angeles Times*, August 16, 2011, Los Angeles edition, AA.1.

<sup>15</sup> Catherine Saillant, "Officers Say Teen Slaying Suspect Apologized: Oxnard Police Say Brandon McInerney, Accused of Killing Larry King, Told Them, 'I'm Sorry, I Did It,'" *Los Angeles Times*, July 21, 2009, Los Angeles edition, A.4.

<sup>16</sup> Catherine Saillant, "Mistrial in Killing of Gay Student: Jurors Deadlocked 7 to 5 in Favor of Voluntary Manslaughter in the Emotional Proceeding," *Los Angeles Times*, September 2, 2011, Los Angeles edition, AA.1.

<sup>17</sup> Catherine Saillant, "Gay Teen's Killer Takes 21-Year Deal: The Youth Avoids a Retrial by Pleading Guilty to Shooting His Classmate in 2008," *Los Angeles Times*, November 22, 2011, Los Angeles edition, AA.1.

enforcement for what they did, and did not do prior to and during the incident. The most critical component was the failure to prevent the incident from occurring in the first place. Russian intelligence sources had information of a possible attack to occur in the area two weeks prior to the incident. The intelligence was shared with local law enforcement, which did not adequately staff patrols around and at the schools. The situation was further compounded when law enforcement did not inform school administrators of a possible attack. Secondly, response tactics were extremely flawed: there was no one clearly in charge of the incident, a perimeter was not established, and the weapons used by law enforcement caused the death of the hostages. The lack of incident command created confusion between the responders and the absence of the perimeter allowed for family members to advance on the school, interfering with the operational efforts. The positive takeaway was the extended state sponsored psychological treatment for the students and family members that were involved.

### **C. RECOMMENDATIONS**

The following is being recommended, both to prevent and prepare for a school shooting.

1. Advance planning and scouting of command post locations, staging areas, ingress and egress of traffic, plans for communicating with parents regarding response and pick up locations, and mutual aid response routes with input from the schools.
2. Collaborate with the schools regarding threats by sharing information with each other early to establish a pattern of collaboration, communication, and trust. Examples would be receiving information from fusion centers and disseminating that information to schools, mining of social media sites by law enforcement for threats, and obtaining information about threats originating inside of the schools.
3. Initiate dialogue with school officials for a long-term psychological treatment program for those individuals involved in a tragic incident. This will reduce the strain on law enforcement responding to mental health related calls in the future involving those that were impacted by school violence.

## **D. CHALLENGES**

The challenges that are going to need attention are potential legal action from civil rights advocacy groups and changes in organizational culture. However, those can be countered by positive campaign actions by schools and law enforcement and by encouraging institutional change starting at executive level. The liability is tremendous for not preventing shootings when a situation presents itself where collaboration can put the wheels in motion to conduct threat assessment and follow up investigations.

## **E. CONCLUSION**

School shootings have happened in the past and, unfortunately, will continue to happen in the future. It is necessary to place importance on the prevention aspect alongside the appropriate tactical response to safely eliminate the threat to those on school campuses. There needs to be collaboration between schools and law enforcement on a continuous basis. Law enforcement needs to plan its tactics and responses prior to an incident taking place. During the aftermath of an incident, there needs to be long-term psychological services available to those impacted. Finally, there needs to be quarterly meetings between the schools and law enforcement to keep the issue on the forefront. School shootings have made history, and they will continue to occur. Planning and collaborations needs to continue where it exists and needs to start where it does not. Law enforcement, schools, media, first responders, and medical staff need to work together to keep their communities safe and be in a position to best handle a school attack when it occurs. The importance of this is expressed in the *Report To The President On Issues Raised By The Virginia Tech Tragedy*, where it explains that many states and communities that have adopted emergency preparedness and violence prevention plans to address school and community violence; however, the challenge is fully implementing these programs through practice and effective communication.<sup>18</sup> Putting plans into

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<sup>18</sup> Michael O. Leavitt, Margaret Spellings, and Alberto Gonzales, *Report to the President on Issues Raised by the Virginia Tech Tragedy* (Washington, DC: U.S. Department of Health and Human Services, U.S. Department of Education, and U.S. Department of Justice), [http://www.justice.gov/opa/pr/2007/June/vt\\_report\\_061307.pdf](http://www.justice.gov/opa/pr/2007/June/vt_report_061307.pdf).

practice is necessary to do sooner than later. Just as necessary as the planning component is sharing of information between schools and law enforcement.

The failure to share information from the law enforcement component to the schools left over 300 students, parents, and teachers dead in Beslan. The combined failure of the school and the law enforcement component within the school at Virginia Tech left 32 students and faculty dead, and the Sandy Hook shooting left 26 students and teachers dead. In the Sandy Hook incident, the shooter had been involved in an altercation with school staff the day prior to the shooting, and on the day of the shooting he targeted those he was involved in an altercation with. Since the conduct of aggression, bullying, and fighting has been identified as areas for concern, schools, and law enforcement should be cross-reporting incidents that come to their collective attention. When incidents are brought to each other's attention, then at the very least a decision could be made as how to proceed to conduct threat assessment, follow up investigation, and intervention "left of boom!"

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## **I. INTRODUCTION: SCHOOL SHOOTINGS CONTINUE TO POSE PROBLEMS**

### **A. BACKGROUND**

School shootings have brought much concern to communities, school districts, law enforcement, and students. Similar events are likely, and there will probably never be a time where we can say with 100 percent certainty there will never be a school shooting in the United States again. The document *Prepared Response: A Mitigation Strategy to Prepare School Communities for School Shooters* states that school shootings can never be 100 percent preventable—just as other crimes are not. Just because it is not 100 percent preventable, however, it does not mean that they cannot be properly prepared for or that a shooting incident cannot be mitigated by proactive measures taken beforehand.<sup>1</sup> For example, governmental agencies have recommended how to construct and reinforce schools to enhance the physical security of school campuses.<sup>2</sup> What has been missing is the prevention component. While physical security is extremely important and schools have plans in place, the prevention component needs to be given thought and consideration.

A key element to preparing a response for a school shooting is to understand what to prepare for. When the schools were polled, 95 percent reported that they had comprehensive plans for crisis preparedness, plans, and recovery.<sup>3</sup> In contrast, a national survey conducted of more than 750 school-based police officers revealed that about half of them said that emergency plans for their schools were not adequate.<sup>4</sup> For the prevention to be effective, there needs to be collaboration between schools and law

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<sup>1</sup> Christopher D. Troughton, *Prepared Response: A Mitigation Strategy to Prepare School Communities for School Shooters* (Storrs, CT: University of Connecticut, 2011).

<sup>2</sup> Science and Technology Directorate, Department of Homeland Security, *Buildings and Infrastructure Protection Series Primer to Design Safe School Projects in Case of Terrorist Attacks and School Shootings* (FEMA-428/BIPS-07) 2nd ed. (Washington, DC: Department of Homeland Security, 2012).

<sup>3</sup> Beth Schuster, “Preventing, Preparing for Critical Incidents in Schools,” *National Institute of Justice Journal* 262 (2010), <https://www.ncjrs.gov/pdffiles1/nij/225765.pdf>.

<sup>4</sup> *Ibid.*

enforcement. Without interagency collaboration and partnerships between these two, relevant information regarding potential incidents that could be lost. This could pose a threat in that a school shooting would not be properly cross reported between the two. Schools are in a position to observe and report those incidents that occur on campus during school hours, while law enforcement has knowledge of students engaging in deviant behaviors such as assaults, threats, narcotics use, and thefts while away from campus. The U.S. Department of Education newsletter *Barriers to Collaboration* cites Dr. Larry Nocera of Glastonbury Public Schools as advocating that the key to interagency collaboration is trust.<sup>5</sup> Dr. Nocera recommended developing opportunities to connect various individuals each other as this helps to bridge differences and dissolve misperceptions of others.<sup>6</sup> This can be done by sharing issues and training together.<sup>7</sup>

## **1. Problem Statement**

School shootings occur in the United States where students that attend or have attended the schools commit violence towards other students and school staff. The school shootings that have been studied and have received notable attention have been the Columbine High School shooting, Virginia Tech shooting, and, more recently, the Sandy Hook Elementary School shooting in Newtown, Connecticut. These incidents showed a lack of preplanning and collaboration between law enforcement and the schools.

There has been a variety research done on school shooters: events leading prior to the shooting, the demeanor and actions of the shooter, communication from the shooters before the incident, and the planning phase of school shooters. There has also been new training and tactics for law enforcement as they respond to active shooters. What has not been in the forefront of developments is the collaboration component between law enforcement and the schools in the identification and information sharing of concerning the students who pose a risk of engaging in a violent act on campus. The schools have done their research and prepared plans, and law enforcement has modified its tactics, but

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<sup>5</sup> Readiness and Emergency Management for Schools [REMS] Technical Assistance Center, "Highlights in the Field," *REMS Express* 4, no. 2 (2008).

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

the two have not come together to work on the issue of identification, prevention, and collaboration ahead of time of those students that can become a threat.

School and law enforcement officials need to realize the importance of collaboration, specifically sharing information with each other about as behavioral issues of students are identified that could become a threat. This type of collaboration needed in efforts to minimize potential school shootings in the future. It is necessary to explore the topic of school shootings prevention as it relates to the identification of factors that are precursors (or weak signals) and the sharing of the information between law enforcement and the school administrators in an effort to minimize the risk of school shootings. This is an important area of research since school shootings can be expected to occur in the future and these will lead to additional lives being lost.

## **2. History Has Made an Impact**

School shootings have been occurring in the United States since the 1960s. Over 70 school shootings have occurred in the United States where dozens of people have been killed and seriously injured.<sup>8</sup> The book *Creating Safe Schools* describes school shootings, like the one at Columbine High School, which ultimately stimulated the development of safe school plans.<sup>9</sup> In some districts, the safe school plans are dusty documents that administrators can refer to and show that they are harboring safe schools in their school districts.<sup>10</sup> When school administrators have such a mentality, it jeopardizes the safety and security of the students, staff, community, and first responders. When school officials disregard the practice of providing continuous safety mechanisms, it also brings forth enormous liability towards the school district.<sup>11</sup>

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<sup>8</sup> “Timeline of School Shootings,” *U.S News*, February 15, 2008, <http://www.usnews.com/news/national/articles/2008/02/15/timeline-of-school-shootings>; “Mass Shootings in America: A History, 1999 through 2013,” *News Wire Service/New York Daily News*, September 16, 2013, accessed October 28, 2013, <http://www.nydailynews.com/news/national/mass-shootings-central-american-history-article-1.1457514>.

<sup>9</sup> Katherine T. Bucher and M. Lee Manning, “Creating Safe Schools,” *The Clearing House* 79, no. 1 (2005): 55–60.

<sup>10</sup> Ibid.

<sup>11</sup> Alissa J. Kramen, Kelly R. Massey, and Howard W. Timm, *Guide for Preventing and Responding to School Violence*, 2nd ed. (Monterey, CA: Defense Personnel Security Research Center, 2009).

Unfortunately, school shootings have created history in the United States and abroad. Previous Homeland Security Secretary Chertoff has said that we need to consider the issue of school safety because we live in a world where both domestically and overseas we have to be concerned about the likelihood of people carrying out violence in our schools.<sup>12</sup> The motivations could be varied: driven by terrorists, psychiatric disabilities, or personal reasons.<sup>13</sup>

*a. Notable School Shootings*

Some of the more notorious schools shootings in the United States that have received much national and international media coverage have been the Columbine High School massacre in Colorado, the Virginia Tech massacre in Virginia, and the Sandy Hook Elementary School shooting in Connecticut. The Columbine High School shooting resulted in the death of 12 students and a teacher and injured 24 other students. The shooters were other students from the school, Dylan Klebold and Eric Harris. The perpetrators motive was to kill as many students and teachers as they could before ending their own lives. The suspects eventually turned their weapons on themselves and ended their own lives.<sup>14</sup>

In the second incident, Virginia Tech shooting left 32 students and faculty members dead.<sup>15</sup> Another 17 students and faculty were injured when they were shot and survived, and six were injured when they jumped from classroom windows trying to escape the massacre. The shooter was another student from the school, Seung Hui Cho, whose motive for the shootings was unknown. Like the shooters of the Columbine High School incident, Cho eventually turned his weapon on himself and committed suicide.<sup>16</sup>

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<sup>12</sup> Michael Chertoff, "Remarks by Homeland Security Secretary Michael Chertoff at a Securing the Schools Initiative Event Remarks at a Securing the Schools Initiative Event," Alexandria, VA, October 30, 2007, <https://www.hsdl.org/?view&did=483217>.

<sup>13</sup> Ibid.

<sup>14</sup> Columbine Review Commission, *The Report of Governor Bill Owens*, 2001, State of Colorado, [http://www.state.co.us/columbine/Columbine\\_20Report\\_WEB.pdf](http://www.state.co.us/columbine/Columbine_20Report_WEB.pdf).

<sup>15</sup> Ian Shapira and Tom Jackman, "Gunman Kills 32 at Virginia Tech in Deadliest Shooting in U.S. History," *The Washington Post*, April 17, 2007.

<sup>16</sup> Virginia Tech Review Panel, *Mass Shootings at Virginia Tech, April 16, 2007, Report of the Review Panel* (Fairfax, VA: Virginia Tech Review Panel, 2007).

The third incident, the Sandy Hook Elementary shooting, left 20 students and six adults dead.<sup>17</sup> The shooter, Adam Lanza, was previously a student from the school he returned to shoot up; and, like the Virginia Tech shooter, Lanza's motive for the shooting was unknown.<sup>18</sup> Lanza eventually turned his weapon on himself and committed suicide.<sup>19</sup>

In Santa Monica, California, on June 7, 2013, a former Santa Monica College student fatally shot and killed his father and brother after setting their house on fire. The gunman then carjacked, kidnapped a motorist, and drove to the college. On the way to the college, he shot at a police officer and a bus. The shooter made it to the campus, where he fatally shot an employee and then his daughter, who died two days later. The gunman entered the library and was killed by police officers.<sup>20</sup>

### **3. Change is Needed**

At the time this paper was being written, additional news reports of school shootings have occurred.<sup>21</sup> The incidents of shootings on school campuses have caused concern for parents, school officials, law enforcement, and the community. In the United States Secret Service *Interim Report on the Prevention of Targeted Violence in Schools*, it makes a finding that high-profile school shootings over the past 10 years have led to increased fear amongst educators, parents, and students.<sup>22</sup> The fear may differ between

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<sup>17</sup> "Danbury State's Attorney Releases Information on December 14, 2012, Incident at Sandy Hook Elementary School," State of Connecticut Department of Emergency Services & Public Protection, news release, March 28, 2013, <http://www.ct.gov/despp/cwp/view.asp?Q=521730>.

<sup>18</sup> "Frustrating Search for Newtown, Conn., Shooter Adam Lanza's Motive," *Tampa Bay Times*, December 24, 2012, <http://www.tampabay.com/news/nation/frustrating-search-for-newtown-conn-shooter-adam-lanzas-motive/1267513>.

<sup>19</sup> Connecticut Superior Court, *Police Report Number CFS12-00704559* [search warrant], December 14, 2012.

<sup>20</sup> John Bacon, "Santa Monica Shootings Claim Fifth Victim," *USA Today*, June 10, 2013, <http://www.usatoday.com/story/news/nation/2013/06/09/santa-monica-shooting-john-zawahri/2405015/>.

<sup>21</sup> "Boy Charged with Attempted Murder in Baltimore School Shooting," Reuters, August 29, 2012, <http://www.reuters.com/article/2012/08/29/us-usa-baltimore-shooting-idUSBRE87S16D20120829>.

<sup>22</sup> U.S. Secret Service, *Interim Report on the Prevention of Targeted Violence in Schools* (Washington, DC: U.S. Secret Service, 2000).

students, parent, and educators, but since the fear exists, preparedness is not only necessary, but should be mandatory.

In 2002, the Secret Service conducted a study of 37 school shootings from December 1974 to May 2000 and concluded that 93 percent of the school attackers in the study behaved in a way that caused others the feeling of trepidation prior to the shooting.<sup>23</sup>

A key element to preparing a response for a school shooting is to understand what to prepare for. When the schools were polled regarding the issue, almost all of them of them reported they had comprehensive plans for crisis preparedness.<sup>24</sup> However, school-based police officers gave a differing view in that about half of 750 polled officers polled felt that the emergency plans for their schools were inadequate.<sup>25</sup> The statistics show that there is a disconnection between the viewpoints of schools, who feeling prepared, and the school-based officers, who do not believe the schools are prepared.

Schools are responsible for the safety and welfare of the students when it is in session, and schools in urban cities usually have security staff on campus to address the day-to-day issues. Some of the major metropolitan cities have schools that have their own police force; for example the Los Angeles Unified School District has the Los Angeles School Police Department (LASPD) that employs approximately 350 sworn officers and is the largest independent school police department in the United States.<sup>26</sup> LASPD's mission statement is to assist students, teachers, and administrators and in providing a safe school environment in which the educational development can occur.<sup>27</sup> If the school environment is unsafe or perceived to be unsafe, parents will hesitate to send their children to such an institution. Also, if constant worrying about their own safety distracts students, they will have a difficult time concentrating on their studies. An associated

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<sup>23</sup> Schuster, "Preventing, Preparing for Critical Incidents."

<sup>24</sup> Ibid.

<sup>25</sup> Ibid.

<sup>26</sup> "What the LASPD is About," Los Angeles School Police Department, <http://www.laspd.com/about.html>.

<sup>27</sup> Ibid.

issue with an unsafe school environment would be recruiting and retaining teachers into a work environment that they feel would subject them to peril.

School shootings are of a nationwide concern as evidenced in the report to Congress: *The Safe and Drug Free Schools and Communities Program: Background and Context*.<sup>28</sup> In addition, the community at large has dictated a demand for school safety. For example, legislators in the state of Washington passed a law and provided funding for safe schools where the superintendent of public instruction (SPI) must establish timelines for school districts to develop individual comprehensive safe school plans. The school districts are then obligated to report progress of their comprehensive plans to SPI on a recurring basis. The Washington Association of Sheriffs and Police Chiefs (WASPC) is also required to construct and operate a state-wide first responder building and mapping information system. Since 2003, the Washington Legislature has provided funding through WASPC to assess and map the security of schools in Washington.<sup>29</sup> For other jurisdictions to create safe schools, the school districts can apply for federal grants via the Safe Schools Healthy Students Initiative.<sup>30</sup>

#### **4. Expected Outcomes**

The expected outcomes from the research will show three things;

- There is a breakdown in communication between key stakeholders,
- There are missed signals by individuals involved, and
- There needs to be improvements in the law enforcement community and educational institutions in order to minimize future school shootings.

#### **B. RESEARCH QUESTION**

What can law enforcement agencies and school districts do to better share information regarding students that may pose risk of committing a shooting on campus?

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<sup>28</sup> Edith Fairman Cooper, *The Safe and Drug Free Schools and Communities Program: Background and Context* (Washington, DC: Congressional Research Service, 2006).

<sup>29</sup> *State of Washington Senate Bill Report SSB 5097*, Washington State Legislature, April 20, 2007, <http://apps.leg.wa.gov/documents/billdocs/2007-08/Pdf/Bill%20Reports/Senate/5097-S.SBR.pdf>.

<sup>30</sup> "Safe Schools Healthy Students Initiative," U.S. Departments of Health and Human Services, Education, and Justice, last modified May 29, 2013, <http://www.sshs.samhsa.gov/initiative/default.aspx>.

### **C. METHODOLOGY**

This thesis looks at several case studies involving school shootings: Sandy Hook Elementary school shooting, the Virginia Tech school shooting, the Green Junior High School shooting in Oxnard, California, and the Beslan school shooting in Odessa, Russia. The Sandy Hook Elementary school shooting was chosen because it is recent and involves a mentally unstable teenager who attacked the elementary school he had previously attended. The perpetrator shot and killed those that were younger than he was and then took his own life. The Virginia Tech shooting was chosen because it involved a mentally unstable perpetrator in college as a student. The Virginia Tech perpetrator had made a video prior to committing the shooting, and, like the Sandy Hook shooter, the individual ended up taking his own life. The Green Junior High School shooting was chosen because it involved a teenage perpetrator shooting another student on campus because the perpetrator viewed the victim as a homosexual. In this case, the perpetrator did not commit suicide, as compared to Sandy Hook and Virginia Tech shootings; he was apprehended by the police and tried for murder. In Beslan, Russia, the shooting, conducted by a splinter group of Chechen rebels, was a prime example of a failure to share information by law enforcement with the school regarding potential threats to the school.

The sources of data and evidence used are government publications, literature, and after action reports related to the Sandy Hook, Virginia Tech, Green Junior High School, and Beslan shooting incidents. The steps of the analysis are: to gather the data, review the sources, and compare and contrast the similarities and differences of the case studies involving the Sandy Hook, Virginia Tech, Green Junior High School, and Beslan shooting incidents. The research focuses on the mental and psychological factors known about the perpetrators before the shootings, whether or not the mental conditions known about the perpetrator was known to the schools, law enforcement, or both, and will attempt to determine whether the schools and or law enforcement shared the knowledge that they knew prior to the shootings. Having the research scoped in such a manner will produce the answers to these topics. The finished product includes the lessons learned from the Sandy Hook, Virginia Tech, Green Junior High School, and Beslan shooting



incidents, and it identify what schools and law enforcement failed to communicate. The thesis also includes a set of recommendations and an analysis of the recommendations including the strengths, weaknesses, and challenges to implementation and use of each recommendation.

#### **D. LITERATURE REVIEW**

A literature review was conducted on the planning and preparation for school shootings. The categories that surfaced during the research addressed the history of school shootings, the planning perspective of school shootings, physical security to schools to prevent school shooting, and social implications. The literature can be broken down into literature from governmental sources, theses, the U.S. Secret Service (USSS), Federal Emergency Management Agency (FEMA), technological study groups, security study groups, and psychology researchers, and medical journals. The components involved were the schools, law enforcement, first responders, and the media.

##### **1. Governmental Publications and Theses**

###### **a. *History and Background Addressed in Government Publications and Theses***

School shootings are low frequency, high risks events; therefore, the planning component is essential to ensure preparedness. Patrick Donovan's thesis indicates there has been a lack of preparedness among the disciplines<sup>31</sup> and reinforces that fact that the lack of preparedness continues. In addition, it addresses the planning component, dealing with school shootings, and looking at national standards for handling school shootings.

A review of the literature for school shootings from the Department of Education *Digest of Education Statistics* provided statistics that over 74 million people were enrolled in American schools and colleges in 2008 from elementary school through

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<sup>31</sup> Patrick N. Donovan, "Leading Community Risk Reduction," (master's thesis, Naval Postgraduate School, 2008).

college.<sup>32</sup> The United States Department of Education states in its *Annual Report on School Safety* that schools are among the safest places for students to be on a day-to-day basis and that any school crime is too much.<sup>33</sup> This statement is designed to appease stakeholders and appeals to emotional sentiments. With the millions of students attending U.S. schools, some student somewhere is going to commit a school shooting. Indeed, in the course of this research, news agencies reported additional school shootings.<sup>34</sup>

I relied on the findings provided by U.S. Secret Service because it is a governmental agency and its service members are experts in the threat assessment discipline. I reviewed the United States Secret Service *Interim Report on the Prevention of Targeted Violence in Schools*, which stated that several high-profile shootings in schools over the past decade have resulted in increased fear among students, parents, and educators.<sup>35</sup> In 2002, the U.S. Secret Service (USSS) conducted a study of 37 school shootings from December 1974 to May 2000 and concluded that 93 percent of school attackers from the 37 incidents behaved in a way that caused concern to others.<sup>36</sup> The USSS conducts threat assessments as part of its protection mission as a core component of its work: the model of a threat assessment was carried over to the school-shooting scenario. The USSS report, *Preventing School Shootings*, states that most shooting incidents were not resolved by law enforcement intervention; in fact, more than half of the attacks ended before law enforcement responded to the scene despite law enforcement's prompt response.<sup>37</sup> Faculty or fellow students stopped the attacker, the attacker either stopped shooting on his own, or committed suicide.<sup>38</sup>

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<sup>32</sup> Thomas Snyder and Charlene Hoffman, *Digest of Education Statistics, 2008* (Washington, DC: National Center for Education Statistics, 2009).

<sup>33</sup> U.S. Department of Education, *Annual Report on School Safety* (Washington, DC: U.S. Department of Education, 1998).

<sup>34</sup> Reuters, "Boy Charged with Attempted Murder."

<sup>35</sup> Bryan Vossekuil, Robert A. Fein, Marisa Reddy, Randy Borum, William Modzeleski. *The Final Report and Findings of the Safe School Initiative: Implications for the Prevention of School Attacks in the United States* (Washington, DC: U.S. Secret Service and U.S. Department of Education, 2002).

<sup>36</sup> Schuster, "Preventing, Preparing for Critical Incidents."

<sup>37</sup> U.S. Secret Service, "Preventing School Shootings A Summary of a U.S. Secret Service Safe School Initiative Report," *National Institute of Justice Journal* 248 (2002).

<sup>38</sup> Ibid.

In another report by the USSS, *Guide for Preventing and Responding to School Violence*, it states that since 1992, more than 40 schools have experienced multiple victim homicides.<sup>39</sup> This information was taken from a security research center via case studies. This report is the second edition of the publication from the security center and that suggests that it is being updated.

***b. Planning, Risk, and After Action Reports Addressed in Government Publications and Theses***

As it is important to include research from multi-disciplines, I looked at a journal written for teachers and school administrators, *Creating Safe Schools*. It reported that violent incidents, such as those at Columbine High School, have spurred the development of safe school plans and that in some districts those plans are dusty documents that administrators can pull out to show that they are creating safe schools in their jurisdictions.<sup>40</sup> In another source, the *Guide for Preventing and Responding to School Violence*, it specifically addresses preventing and responding to school violence.<sup>41</sup> This is a source on preventing school violence written by individuals that have conducted doctoral research corroborate that disregard by school officials for planning and providing continuous safety mechanisms also brings forth enormous liability towards the school district.<sup>42</sup>

An important fact that resurfaced in the literature about the Columbine shooting that had also occurred in previous tragedies was the breakdown in communication among the responders. In *Jane's Defence Weekly* article titled "Homeland Security-Containing Risk" states that interagency communications had been highlighted as one of the weakest links in emergency management following the response to 9/11, the 1999 Columbine High School shootings, and the 1995 Oklahoma City

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<sup>39</sup> Ibid.

<sup>40</sup> Bucher and Manning, "Creating Safe Schools," 55–60.

<sup>41</sup> Kramen, Massey, and Timm, *Guide for Preventing*.

<sup>42</sup> Ibid.

bombing.<sup>43</sup> This research on risk correlates 9/11 to Oklahoma City bombings and the Columbine shooting, both of which occurred in the U.S. There are some dissimilarities, including the fact that the actors were foreign terrorists in 9/11 and the other two incidents were home grown Americans.

The publication “Containing Risk” in *Jane’s Defence* stated that when schools were polled, 95 percent of them reported they had comprehensive plans for crisis preparedness and recovery, only to be countered by another national survey of more than 750 school-based police officers where about half of them said the emergency plans for their schools were unsatisfactory.<sup>44</sup> The comparison of studies between school administrators and law enforcement officers assigned to school campuses show a difference of opinion between schools and law enforcement; this is important. Most law enforcement officers do not work for the school; they can provide their assessment without taking into consideration the politics. Since the survey was distributed throughout the U.S., there was nationwide sample of responses. More scrutiny needs to be given to the raw data to decipher how many total schools were surveyed in order to have a better understanding of the statistic.

The *Report to the President on Issues Raised by the Virginia Tech Tragedy* states that many states and communities that have adopted emergency preparedness and violence prevention plans to address school and community violence, but they have the challenge of fully implementing the programs.<sup>45</sup> This report provides affirms what school the administrators state and counters what the officers feel in the “Containing Risk” article. It was a multi-jurisdictional report submitted by three different governmental agencies to the president of the United States (POTUS). The heads of the agencies signed the memorandum to the president and multiple levels of review were performed. The research covered the USA from the east coast to the west coast. It begs

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<sup>43</sup> Richard Scott, Tony Skinner, and Bill Sweetman, “Homeland Security—Containing Risk,” *Jane’s Defence Weekly* 44, no. 1 (2009): 22–29.

<sup>44</sup> Ibid.; Schuster, “Preventing, Preparing for Critical Incidents.”

<sup>45</sup> Michael O. Leavitt, Margaret Spellings, and Alberto Gonzales, *Report to the President on Issues Raised by the Virginia Tech Tragedy* (Washington, DC: U.S. Department of Health and Human Services, U.S. Department of Education, and U.S. Department of Justice), [http://www.justice.gov/opa/pr/2007/June/vt\\_report\\_061307.pdf](http://www.justice.gov/opa/pr/2007/June/vt_report_061307.pdf).

the issue as to whether the content was written for a political purpose or is truly the result of objective research because this report was written for the president, a very political office.

In another source I reviewed, the U.S. Department of Education newsletter *Barriers to Collaboration*, it states that the key to interagency collaboration is trust and developing opportunities to train together, share issues, and to connect with various individuals helps bridge differences and dissolve misperceptions.<sup>46</sup> This article is directed to educators and is informing the educational discipline the need to collaborate.

In a different view, the thesis by Lieutenant Tracy L. Frazzano of the Montclair Police Department in New Jersey focuses on preparedness and pre-planning. Her thesis supports that networks built in a time of calmness could lead to benefits of the partnership in a time of crisis.<sup>47</sup> Preparation and pre-event planning are critical to mobilizing resources when they are needed. Frazanno supports the development of flexible plans to respond disasters will limit the chaos and confusion at the same time limiting casualties since pre-planning identifies potential and realistic dangers.<sup>48</sup>

Another document that advocated prevention is *Prepared Response: A Mitigation Strategy to Prepare School Communities for School Shooters*.<sup>49</sup> This report states that school shootings will never be 100 percent preventable, just like other crime cannot be, but that does not mean that school shootings cannot be properly prepared for or mitigated by proactive actions taken beforehand.<sup>50</sup>

***c. Physical Security of Schools and Concerns Addressed in Government Publications***

School shootings are a nationwide concern as evidenced in the report to Congress, *The Safe and Drug Free Schools and Communities Program: Background and*

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<sup>46</sup> REMS, "Highlights in the Field."

<sup>47</sup> Tracey L. Frazzano, "Local Jurisdictions and Active Shooters: Building Networks, Building Capacities" (master's thesis, Naval Postgraduate School, 2010).

<sup>48</sup> Ibid.

<sup>49</sup> Troughton, *Prepared Response*.

<sup>50</sup> Ibid.

*Context*.<sup>51</sup> Reports to Congress, such as this one, are well researched and sources are cited, and they often present recent and relevant material. Congressional reports are government publications and are written to inform policy makers; however, one issue to keep in mind is that the Congress is political.

Another government publication (for FEMA) is the *Primer to Design Safe School Projects in Case of Terrorist Attacks and School Shootings*, which recommends schools to work with law enforcement officials and emergency preparedness departments on a strategy for coordination as part of the school emergency plan. The report is detailed about incorporating safety features during construction and remodeling to enhance the overall physical safety of a school.<sup>52</sup>

## **2. Social Implications Involving School Shootings in Medical Journals**

Medical journals were another source of articles in this research. The study *Code of Silence: Students' Perceptions of School Climate and Willingness to Intervene in a Peer's Dangerous Plan* was published by the U.S. National Library of Medicine National Institutes of Health. In it, the authors found the normative tendency for adolescents to be sensitive to others' impressions.<sup>53</sup> For example, they may be hesitant to act out of fear of reacting inappropriately or being labeled a snitch or a narc.<sup>54</sup> This document shows the social implications of what contributes to people not informing law enforcement or schools officials about information of others talking about or planning school shootings.

The *Guide for Preventing and Responding to School Violence* states that the forms of communication media (print, television, radio, computer, and film) can play an important role in helping to prevent violence in the schools and the media can help limit the harm that results when violence does occur.<sup>55</sup> On the other hand, use of media can

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<sup>51</sup> Cooper, *The Safe and Drug Free Schools*.

<sup>52</sup> Science and Technology Directorate, *Buildings and Infrastructure Protection*.

<sup>53</sup> Amy K. Syvertsen, Constance A. Flanagan, and Michael D. Stout, *Code of Silence: Students' Perceptions of School Climate and Willingness to Intervene in a Peer's Dangerous Plan* (Washington, DC: U.S. National Library of Medicine National Institutes of Health, 2009).

<sup>54</sup> Ibid.

<sup>55</sup> Kramen, Massey, and Timm, *Guide for Preventing*.

also have drawbacks, such as those exposed to the media will try to mimic the violent act, desensitize viewers to the horrors of violence, may increase their likelihood of committing it, and exaggerate the magnitude of the real threat. This could result in people fearing for their own or their children's safety in situations where little danger is actually present.<sup>56</sup> There are conflicting views regarding the media, and it is important to write about both sides.

### **3. Summary of Literature Review**

The research showed that there are great numbers of governmental publications involving the topic of school shootings ranging from physical school security to planning for school shootings. Two things that really stood out from the Secret Service documents are that the attackers make plans, and they talk about the plans. In response, law enforcement and school officials have made plans and have increased physical security at the schools. No research uncovered as of yet focused on the issue of information sharing between schools and law enforcement regarding students who have engaged in aggressive behavior. Furthermore, no research was found to date, regarding analytical capabilities of any organization to analyze and then provide that information to schools and law enforcement regarding the conduct of students that have displayed aggressive actions such as bullying and fighting.

The following chapters following will be the case studies of the Virginia Tech School shooting, Sandy Hook Elementary School shooting, Green Junior High School shooting and the Beslan School shootings. The case studies will provide a background, describe the mental condition of the shooter(s), explain activities prior to the shooting, and look at what, if any, information sharing between schools, law enforcement, government, and medical treatment institutions occurred.

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<sup>56</sup> Ibid.

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## II. VIRGINIA TECH SHOOTING CASE STUDY

In this discussion about the Virginia Tech case study, this section will provide background information, describe the mental condition of the shooter, explain activities prior to the shooting, and look at what, if any, information sharing between schools, law enforcement, government, and medical treatment institutions occurred. The shooter at Virginia Tech was a current student to whom there was no motive attributed for the shooting. At the end of the case study, an analysis will address if there was a breakdown in communication between key stakeholders, and if there were missed signals by the organizations involved. The majority of this material is taken from the report *Mass Shootings at Virginia Tech* Addendum to the report of the Review Panel.

### A. BACKGROUND

On April 16, 2007, a senior university student, Seung Hui Cho, murdered 32 students and injured 17 other students and faculty in two related incidents on the campus of Virginia Polytechnic Institute and State University (Virginia Tech). Cho started his killing spree early in the morning that day when he went to West Ambler Johnston (WJ) residence hall. At approximately 0715 hours, Cho went to the dorm room of Virginia Tech student Emily Hilscher and fatally shot her.<sup>57</sup> The resident advisor, Ryan Clark, who lived next door to Hilscher, went to check on her when he heard the loud noises coming from Hilscher's dorm. When Clark got to Hilscher's dorm, Cho fatally shot Clark as well.<sup>58</sup>

Virginia Tech Police Department (VTPD) received calls from other suitemates regarding the sounds that had been heard, which had been misinterpreted by those reporting the incident. They were requesting assistance as sounds similar to someone falling out of bed. VTPD dispatched an officer and an Emergency Medical Services (EMS) team to the location, and they arrived approximately five minutes after being dispatched. The responding officer asked for further assistance after seeing Hilscher's

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<sup>57</sup> Virginia Tech Review Panel. *Mass Shootings at Virginia Tech*, 78.

<sup>58</sup> *Ibid.*, 78.

dorm and determining that it was a crime scene. The VTPD Chief, Flinchum, asked for assistance from the Blacksburg Police Department (BPD) and notified university administrators of the officer's observations.<sup>59</sup> The investigation initially focused on Hilscher's boyfriend as a person of interest, as she was with him last the night before. The direction of the investigation followed a domestic violence type of investigation. Officials discovered that Hilscher's boyfriend had already left the school grounds and excluded the possibility of a murderer running around on campus.<sup>60</sup>

Chief Flinchum informed the university president, and once informed, the president almost immediately convened the emergency Policy Group to decide how to respond, including how and when to notify the university community. Ironically, the VTPD is not a member of the Policy Group and does not have the capability to send out notifications itself. Rather, the VTPD has to go through an administrator to send out emergency messages to the campus community.<sup>61</sup> Almost two hours after the initial shooting, campus administrators sent out a carefully worded alert to the campus community regarding the double homicide; administrators did not want to create panic as had occurred when misinformation previously sent out regarding an incident months prior where a prison escapee may have possibly made his way on campus.<sup>62</sup>

As the morning continued after the double murder, coupled with the delay of sending out a mass warning message, students, faculty and staff continued on with their routine business for the day. Classes were not cancelled, and the campus was not placed on lock down. Virginal Tech could not be truly locked down because the individual classrooms do not have locks on their doors; just the entrances to the buildings have locks on them.<sup>63</sup>

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<sup>59</sup> Ibid., 78.

<sup>60</sup> Ibid., 79.

<sup>61</sup> Ibid., 80.

<sup>62</sup> Ibid., 81.

<sup>63</sup> Ibid., 83.

After the first shooting, Cho went to his dorm and changed out of his blood stained clothing.<sup>64</sup> He then accessed his campus email, deleted items, and wiped out his account. Then, at approximately 0900 hours, Cho was at the Blacksburg post office, where he mailed his manifesto to a news agency.<sup>65</sup> While at the post office a professor recognized Cho, but the professor was unaware of Cho's actions earlier that morning. Shortly after going to the post office, Cho arrived at Norris Hall. He had brought his weapons, almost 400 rounds of ammunition, magazines, chains, and a hammer with him. Cho chained shut the three main entrances at Norris Hall, which prevented both entry and escape. Cho also left a note at one of the chained doors stating that a bomb would go off if anyone attempted to remove the chains. A faculty member found the note and took it to the Dean of Engineering instead of calling the police department.<sup>66</sup> Students found the doors chained prior to the shooting, but they did not report it to the police department. The students also did not report the chained doors to university. One student actually climbed through a window to get into Norris Hall after being unable to get into the building because of the chained doors.<sup>67</sup>

Cho walked into a classroom and killed the professor and several other students. The gunfire noises did not register with students and other faculty as gunfire; rather, people thought it was possible construction noise or chemistry experiments. One student entered the hallway to investigate the sounds and was shot, which created panic.<sup>68</sup> Students called 911 and, within a minute of the 911 calls, VTPD knew of the Norris Hall shootings. VTPD responded and arrived within three minutes. In the meantime, Cho went to other rooms and killed professors and students and injuring others.<sup>69</sup> The massacre lasted approximately 10–12 minutes and within that time period, Cho had killed 25 students and five faculty members. In addition, Cho had injured 17 others who were shot but survived. During his shooting rampage, Cho had expended at least 174 bullets from

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<sup>64</sup> Ibid., 85.

<sup>65</sup> Ibid., 86.

<sup>66</sup> Ibid., 89.

<sup>67</sup> Ibid., 90.

<sup>68</sup> Ibid., 90.

<sup>69</sup> Ibid., 91.

two semiautomatic guns. The investigation revealed Cho had used his 9mm Glock and .22 caliber Walther also. Finally, Cho committed suicide, most likely after hearing the sirens of the police response and shots fired by police at the door locks Cho had chained. Cho had over 200 live ammunition rounds remaining prior to committing suicide. This time, university officials sent out a message that a gunman was loose on the campus within five minutes of receiving information from VTPD.<sup>70</sup>

## **B. THE MENTAL CONDITION OF THE SHOOTER**

Cho was born in Seoul, Korea and moved to the United States when he was eight years old. His family consisted of his sister and parents. His parents were hard working individuals that operated a dry cleaning establishment, working long hours in Virginia.<sup>71</sup> Cho was shy and introverted in his childhood years while in elementary school. Prior to entering the seventh grade, schools officials met with Cho's parents and encouraged counseling for Cho. At that time, Cho was diagnosed with selective mutism.<sup>72</sup> His parents tried to socialize Cho by encouraging him to have activities with his friends, but Cho remained to be withdrawn. In 1999, when he was in the eighth grade, Cho's teachers identified suicidal and homicidal ideas in his written schoolwork; Cho was referring to the Columbine High School Shootings.<sup>73</sup> Due to these concerns, the school staff asked Cho's parents to seek the services of a counselor. At that time, he underwent a psychiatric evaluation, which necessitated anti-depression medication. Cho took the medication for a year and responded well to the treatment. Due to Cho's positive response to the medication, he was taken off the medication after his year of treatment.<sup>74</sup>

Then, Cho entered high school and at that time he enrolled in an Individual Educational Program to deal with his shyness and lack of responsiveness in classroom settings. He continued with counseling services and showed progress with adjusting to the school environment. After he graduated high school, and he was accepted to Virginia

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<sup>70</sup> Ibid., 92.

<sup>71</sup> Ibid., 22.

<sup>72</sup> Ibid., 22.

<sup>73</sup> Ibid., 22.

<sup>74</sup> Ibid., 35.

Tech. As he attended Virginia Tech, Cho had issues early on with his roommates over neatness, causing Cho to change dorms. After that, he moved in with another student, and this time he complains of mites in the room. Cho saw a doctor at the time, who diagnosed him with acne and prescribed medication.<sup>75</sup> According to Cho's sister, he had developed a passion for writing and submitted an idea for a book; the publisher rejected Cho's proposal. Then, Cho had a demeanor change and lost interest in writing. As he started his junior year, he attended college parties with his roommates. At one party, Cho was seen stabbing the carpet with a knife.<sup>76</sup> His poetry professor recognized violence in Cho's writing and also confronted him about taking pictures of other students by holding a camera under his desk. Cho's professor notified the department chair in an effort to create a documentation trail to be used against Cho for removal from the class at a later time.<sup>77</sup>

Cho was eventually removed from that class and given individual tutoring from another professor. Counseling was recommended for him at the time but Cho refused to accept it. Cho's refusal prompted the notifications to Division of Student Affairs, the Cook Counseling Center, the Schiffert Health Center, the Virginia Tech Police Department, and the College of Liberal Arts and Human Sciences.<sup>78</sup> Cho's problems were discussed with the university's Care Team, which reviews cases of students with problems. In November 2004, a female student reported Cho to VTPD for harassing her through the Internet, phone, and in person. That case got handled through the school's disciplinary system.<sup>79</sup> Other females reported similar incidents about Cho through December 2004. VTPD contacted Cho and advised him to have no further contact with those students who had filed complaints against him, prompting Cho to send a text to his roommate at the time that he might as well kill himself.<sup>80</sup> That comment was reported to VTPD, who followed up with procedure and took him to a psychological evaluation

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<sup>75</sup> Ibid., 22.

<sup>76</sup> Ibid., 23.

<sup>77</sup> Ibid., 23.

<sup>78</sup> Ibid., 43.

<sup>79</sup> Ibid., 23.

<sup>80</sup> Ibid., 24.

center. The evaluations ultimately led to Cho being detained for being a danger to himself and others.<sup>81</sup>

The psychologist who evaluated Cho determined that he did not present a danger to himself. In addition, another psychologist also determined Cho was not a danger to himself or others without gathering collateral information.<sup>82</sup> After that, Cho was then referred to a counseling center, which was the third visit for Cho in 15 days. No medications were prescribed by either of the psychologists that saw Cho, and the doctors made findings that Cho was normal and without indication of psychosis, delusions, and suicidal or homicidal ideation.<sup>83</sup>

In April 2006, Cho's technical writing professor counseled him for shortcomings and Cho followed the professor to his office and raised his voice at the professor. This incident went unreported by the professor. Also in the spring of 2006, Cho wrote a paper for his creative writing class concerning a young man who hated the students at his school and planned to kill them and himself.<sup>84</sup> These writings were later discovered to have parallels to the day he committed the shootings. Another professor reported Cho to the dean and the dean found no mental health issues or police reports involving Cho. Counseling was again recommended but Cho declined.<sup>85</sup>

### **C. ACTIVITY PRIOR TO THE SHOOTING**

In February and March of 2007, Cho purchased the handguns, additional magazines, chains, and ammunition. In April, he rented a hotel room and videotaped himself for his manifesto.<sup>86</sup> On April 14, an Asian male wearing a hooded sweatshirt was seen at Norris Hall by a faculty member. Students had reported that doors were chained at the time to the faculty member, who did not tell the police until after the

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<sup>81</sup> Ibid., 24.

<sup>82</sup> Ibid., 24.

<sup>83</sup> Ibid., 25.

<sup>84</sup> Ibid., 25.

<sup>85</sup> Ibid., 25.

<sup>86</sup> Ibid., 26.

shooting incident of what they had observed and learned. The same day, he bought more ammunition.<sup>87</sup> On April 15, Cho called his family as a matter of routine with no unusual or apparent content causing the family any concern.<sup>88</sup> On April 16, 2007, Cho was seen at his computer at 0500 hours by his roommate and then seen brushing his teeth and applying acne medicine. Less than 2 hours later, he committed the double homicide and then murdered the other students and professors at Norris Hall.<sup>89</sup>

#### **D. INFORMATION SHARING BETWEEN SCHOOLS, LAW ENFORCEMENT, GOVERNMENT, AND MEDICAL TREATMENT INSTITUTIONS**

Information sharing enables stakeholders to be in the know and then at the very least, have an option to evaluate and engage. There were signals that were missed that led to grave consequences. For example, Virginia Tech has a Care Team to intervene with students that are experiencing issues. The Care Team is multi-disciplinary and is comprised of different functions. The VTPD is only second tier in the process, creating a situation where important information known to VTPD does not interchange at early levels with the Care Team.<sup>90</sup>

The lack of information sharing among public safety, administrative, academic units at Virginia Tech and the students who had raised several concerns about Cho's conduct contributed to the failure to see the big picture of the path he was heading towards. Professors had information regarding Cho's conduct in class and his written work that included murderous and suicidal thoughts. Additionally, students had information regarding Cho stalking and intimidating them. Furthermore, the police had information regarding warnings given and his commitment to a psychiatric facility for evaluation as a danger to himself and others. Moreover, faculty and students observed suspicious activity, such as chained doors, and they failed to take any timely action, although it could not be attributed to Cho at the time. Finally, school administrators had

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<sup>87</sup> Ibid., 26.

<sup>88</sup> Ibid.

<sup>89</sup> Ibid.

<sup>90</sup> Ibid., 52.

information from faculty regarding Cho's continuous and concerning aberrant and dangerous demeanor in class.<sup>91</sup>

Medical facilities that provide treatment and psychological services rely on Health Insurance Portability and Accountability Act (HIPAA) for guidance on issues related to patient information. HIPAA provides federal protections for individually identifiable health information held by covered entities and their business associates and gives patients an array of rights with respect to that information. At the same time, HIPAA is balanced so that it permits the disclosure of health information needed for patient care and other important purposes such as public safety emergencies.<sup>92</sup> School districts rely on the Family Educational Rights and Privacy Act (FERPA) for guidance related to education records. This federal law protects the privacy of student education records and applies to all schools that receive funds under an applicable program of the U.S. Department of Education.<sup>93</sup> Just like HIPAA, FERPA allows for the disclosure of records to appropriate officials when health and safety emergencies exist.<sup>94</sup>

Medical treatment facilities and schools heavily cite the laws as reasons for non-disclosure of information to law enforcement without taking into account permissible situations. The standard practice has been non-disclosure of information, as it is easier to say no to sharing information than find a solution to share information. Not disclosing information to law enforcement when it should be disclosed hinders follow up investigations. Laws are complex and often misunderstood. Privacy laws can block attempts to share information and cause information holders to default to the nondisclosure even when laws permit disclosure. Sometimes it is because of ignorance of the law, and other times it is done intentionally because it serves the purposes of the individual or organization to hide behind the privacy law. In this instance, permitted exceptions are medical file information necessary for the care of a patient, and

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<sup>91</sup> Ibid., 53.

<sup>92</sup> U.S. Department of Health & Human Services, "Understanding Health Information Privacy," accessed October 28, 2013, <http://www.hhs.gov/ocr/privacy/hipaa/understanding/>.

<sup>93</sup> U.S. Department of Education, "Family Educational Rights and Privacy Act (FERPA)," accessed October 28, 2013, <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>.

<sup>94</sup> Ibid.



information concerning a patient who may present a serious threat to public health or safety. To complicate matters, those individuals that had personal information regarding Cho's conduct were not present at his commitment hearings with the court, and the information did not make it to the evaluators that were conducting his psychiatric evaluation.<sup>95</sup>

Certain law enforcement records are subject to disclosure and VTPD did not share the information with the school. The court commitment hearings are public; however, the medical records that are presented at the proceedings are confidential. VTPD could have shared the information about the hearing with school officials.<sup>96</sup>

## **E. ANALYSIS**

The Virginia Tech shooting several stakeholders that were involved with Cho, and they all had valuable information that should have been shared with one another.

1. The school staff recognized murderous and suicidal ideals in Cho's writings,
2. The professors reported their concerns to the administration,
3. The police received reports about Cho's stalking and intimidation of other students,
4. The police were involved in placing Cho on a psychiatric evaluation, and Cho had been seen by counselors on campus.
5. The school had a multi-tier Care Team that did not include the police department that was not included on the primary tier.

All these things combined were a failure of communication and collaboration between everybody that was involved. One component should not receive more or less blame than any other component; all components needed to work together. There seemed to be a lack of urgency by those involved with dealing with Cho. In addition, the psychological evaluators and school administrators could not make proper evaluations due to incomplete information.

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<sup>95</sup> Virginia Tech Review Panel, *Mass Shootings at Virginia Tech*.

<sup>96</sup> Ibid.

Medical records are guarded by HIPAA; however, there are exceptions within the law to allow for release of records to protect the subject and other individuals when the patient poses a threat to himself or others. What is needed is a change in organizational culture, both from administrators who possess the HIPAA information and the recipients of the HIPAA information. Top administrators need to engage in a culture of supporting the exchange of information as allowed by the law. There does not need to be a major amendment to the HIPAA law as the law is already clear that the information may be shared under certain circumstances. What is needed is for the law to be reinforced by those affected by the law. The possessors of the information need to train their staff, retrain their staff, and have continuous positive reinforcement for sharing information. The norm should not be withholding information; rather it should be sharing information allowed by law.

The potential recipients of HIPAA information need not be silent either. Police department administrators need to ensure that their staff receive HIPAA PPA law training and are fully aware of the restrictions intended by the law as well as the exceptions available within the law for the protection of the individual and the community. Furthermore, law enforcement officers should be asking for HIPAA information from medical facilities involving subjects that have been treated there where the law allows for the exceptions.

The school campuses around the United States need to institute a policy regarding the reporting of criminal activity, threats, and other situations where safety is a concern. There were several instances of this in the Virginia Tech case. For example, chained doors went unreported by students and faculty alike, Cho's conduct in some of the classes went unreported by professors, and the school did not have a mandatory reporting policy regarding violence. Mandatory reporting is not the cure all solution, but what mandatory reporting does do is distribute information among stakeholders information they should know and have access to.

For example, both the Department of Children and Family Services and the Adult Protective Services cross report with California law enforcement agencies regarding

suspected abuse situations.<sup>97</sup> With cross reporting, information that people need to know needs to be brought to their attention so that those responsible for taking action on a particular incident can do so. There will be situations where people that were responsible for acting after receiving information do not act; however, that is not a breakdown of the cross reporting system, but either an intentional or unintentional misinterpretation of the information being cross-reported.

The next chapter will be the case study on the Sandy Hook Elementary School shooting, which occurred in Newton, Connecticut. The case study will show parallels to the Virginia Tech shooting in that the perpetrator displayed warning signs prior to the shooting that went unreported by school officials to the police department.

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<sup>97</sup> Office of Child Abuse Prevention, State of California Department of Social Services, "Child Abuse Reporting and You," Publication 129 (Sacramento, CA: State of California Department of Social Services Office of Child Abuse Prevention, 2006).

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### **III. SANDY HOOK ELEMENTARY SCHOOL SHOOTING**

This chapter on Sandy Hook Elementary School shooting case study will provide background, describe the mental condition of the shooter, explain activities prior to the shooting, and look at what, if any, information sharing between schools, law enforcement, government, and medical treatment institutions occurred. In this case, the shooter was a previous student in which there was no motive discovered for the shooting. At the end of the case study, there will be an analysis to address whether there was a breakdown in communication between key stakeholders and if there were signals that were missed by the organizations involved.

#### **A. BACKGROUND**

On December 14, 2012, at approximately 0935hours, the Newtown, Connecticut Police Department received several 911 calls regarding an active shooter at the Sandy Hook Elementary School. Adam Lanza, a former student of the school, had driven his mother's vehicle and parked it at the fire lane in front of the school. Lanza was dressed in military apparel and had armed himself with several semi-automatic handguns and a military style assault rifle. Once he entered the school, he shot and killed students and adults, ultimately turned the gun on himself and committed suicide.<sup>98</sup>

Adam Lanza took hundreds of bullets with him when he entered the school. He shot the children and adults at the school with a Bushmaster .223 semiautomatic rifle, but he also had with him a Sig Sauer semi-automatic handgun and Glock semi-automatic handgun. Lanza had with him several 30 round high-capacity magazines for the Bushmaster and several magazines for both handguns, with hundreds of rounds. A search of the car Lanza drove to the school and left parked outside the school yielded a shotgun. Eventually, Lanza shot himself in the head with a Glock 10-millimeter handgun.<sup>99</sup>

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<sup>98</sup> Connecticut Superior Court, *Police Report Number CFS12-00704559*.

<sup>99</sup> Tina Susman, Brian Bennett, and Joe Mozingo, "Connecticut Shooting: Obama Vows To Do All He Can; Nation Not Doing Enough To Protect Kids, He Says," *Los Angeles Times*, December 17, 2012, Los Angeles edition, A.1.

Adam Lanza killed 20 children and six adults at Sandy Hook Elementary school with a Bushmaster .223 caliber, model XM15 rifle. The Bushmaster was loaded with a 30-round capacity magazine; 14 rounds were still in the magazine when police recovered the rifle. In addition, there was one round in the chamber of the firearm.<sup>100</sup>

## **B. THE MENTAL CONDITION OF THE SHOOTER**

Adam Lanza had drawn attention to himself during his high school years. While he was a freshman at Newtown High School, staff members referred him to a high-school psychologist. Teachers, counselors, and security officers helped monitor Lanza as he was described as a skinny, very socially awkward teen. At that time, the school's fear was not that Lanza was dangerous, but the opposite, according Richard J. Novia, the director of security at Newtown School District in 2007.<sup>101</sup> School officials thought Lanza did not pose a threat to anyone else, rather the school district was worried about Lanza being a victim or that he would hurt himself. The Newtown School District had assigned a permanent psychologist to Lanza in his freshman year in 2007 and had flagged him to the school's security chief when he was still in middle school.

Lanza was described by school officials as very withdrawn, meek, and in need of watching. Novia said it was not unusual for school officials to meet about troubled students, but Lanza's problems were recognized as more severe than most, and so Lanza was to be monitored in high school by the security staff that worked there.<sup>102</sup> It is possible that Adam Lanza was taking an antipsychotic medication with side effects such

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<sup>100</sup> "Danbury State's Attorney Releases Information on December 14, 2012, Incident at Sandy Hook Elementary School," State of Connecticut Department of Emergency Services & Public Protection, news release, March 28, 2013, <http://www.ct.gov/despp/cwp/view.asp?Q=521730>.

<sup>101</sup> Tamara Audi, Anton Troianovski, and Josh Dawsey, "Connecticut School Shooting: Shooter's Persona Drew Concern in School," *The Wall Street Journal*, December 17, 2012, Eastern edition (New York), A.7.

<sup>102</sup> *Ibid.*

as being withdrawn.<sup>103</sup> It is known that Lanza had Asperger's, a form of Autism, but experts say that the condition did not lead to the shooting.<sup>104</sup>

### **C. ACTIVITY PRIOR TO THE SHOOTING**

The day prior to the shooting (December 13, 2012), 20 year old Lanza<sup>105</sup> had gone to Sandy Hook Elementary School and gotten in an altercation with four school officials, three of whom would be murdered by Lanza on the day of the shooting.<sup>106</sup> A family friend of Lanza's mother, Marvin LaFontaine, believed that the reason Lanza went to the school was because he had been harboring resentment towards the school due to having been bullied when he was a student there.<sup>107</sup> Law enforcement officers from the Connecticut State Police went to Adam Lanza's residence and found his mother, Nancy Lanza, deceased inside. She had a gunshot to her head and there was rifle near her body. The investigation concluded that Adam Lanza had shot his mother prior to the shooting at the elementary school.<sup>108</sup>

### **D. INFORMATION SHARING BETWEEN SCHOOLS, LAW ENFORCEMENT, GOVERNMENT, AND MEDICAL TREATMENT INSTITUTIONS**

Adam Lanza was not on the radar for law enforcement as he was growing up. He was, however, dealing with school psychologists within the school district. Lanza was reported to the school security staff so they could pay more attention to him. This shows

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<sup>103</sup> Amanda Paulson, "Sandy Hook Shooting's Glare Illumines Cracks in Mental Health Care," *The Christian Science Monitor*, December 18, 2012, 10.

<sup>104</sup> Jenny Marder and Jason Kane, "Why Diagnosing Adam Lanza is a Problem," *The Rundown*, December 18, 2012, PBS, accessed July 18, 2013, <http://www.pbs.org/newshour/rundown/2012/12/why-diagnosing-adam-landa-is-a-problem.html>.

<sup>105</sup> "Adam Lanza's Father, Peter Lanza, Meets with Newtown Victim's Parents," *Huffington Post*, March 21, 2013, accessed October 28, 2013, [http://www.huffingtonpost.com/2013/03/21/adam-lanzas-father-newtown-family-meeting\\_n\\_2923295.html](http://www.huffingtonpost.com/2013/03/21/adam-lanzas-father-newtown-family-meeting_n_2923295.html).

<sup>106</sup> Julia Terruso "Reports: Gunman had Altercation at School Days before Shooting," *New Jersey News*, December 15, 2012, accessed July 18, 2013, [http://www.nj.com/news/index.ssf/2012/12/gunman\\_may\\_have\\_had\\_altercatio.html](http://www.nj.com/news/index.ssf/2012/12/gunman_may_have_had_altercatio.html).

<sup>107</sup> Matthew Lysiak and Rich Schapiro, EXCLUSIVE: Adam Lanza's Murder Spree At Sandy Hook May Have Been Act Of Revenge, *New York Daily News*, April 7, 2013, accessed October, 28, 2013, [http://www.nj.com/news/index.ssf/2012/12/gunman\\_may\\_have\\_had\\_altercatio.html](http://www.nj.com/news/index.ssf/2012/12/gunman_may_have_had_altercatio.html).

<sup>108</sup> Connecticut Superior Court, *Police Report Number CFS12-00704559*.

collaboration internally, and for the time that Lanza was on campus, the collaboration caused school employees to be more attentive to him. The day before the shooting, Lanza's disturbance at the school did not get reported to law enforcement. Although Lanza was not a current student at the school, he was a previous student with the knowledge of the staff and layout of the school. He had more knowledge than an average person who had not attended the school.

## **E. ANALYSIS**

The Sandy Hook shooting had signs of violence that went unreported. Adam Lanza had caused a disturbance at the school the day prior to the shooting and the police were never notified of the incident. Reporting aggression by school staff to the police would have elicited a response by the police department with jurisdiction at the school. With a police response, at least a preliminary investigation as to what occurred and who did what is initiated. For example, Adam Lanza could have been contacted by the officer and questioned about his conduct. The officer would have identified Lanza and evaluated him as a candidate for a psychological evaluation by professionals. In addition, Lanza could have been asked regarding weapons, intentions, and whatever else the investigation might have uncovered.

Sometimes people act out in a need for attention and having contact with individuals that are in that state provides the opportunity to ask questions and take actions. This is not to say that the physical security component needs to be minimized, just that prevention efforts should precede physical security at schools. Even with physical security, shooters can penetrate schools should they have their minds set on it as Lanza did when he shot through the school's gate. The focus needs to be on sharing of information to prevent the shootings from occurring in the first place.

The case study described above clearly articulates both a reason and a need to inform public safety officials. This is also supported by The *National Strategy for Information Sharing and Safeguarding*, which aims to achieve the proper balance between



sharing information with homeland security professional in order to keep our schools safe from those who would do us harm.<sup>109</sup>

The next chapter will be a case study on the E. O. Green Junior High School shooting that occurred in Oxnard, California. The parallels this shooting has with both Virginia Tech and Sandy Hook Elementary shootings are that the shooter was a student and that there were tensions with the shooter that other students and teachers noticed prior to the shooting.

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<sup>109</sup> White House, *National Strategy for Information Sharing and Safeguarding* (Washington, DC: White House, 2012).

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## **IV. GREEN JUNIOR HIGH SCHOOL SHOOTING**

The Green Junior High School shooting case study will provide a background, describe the mental condition of the shooter, explain activities prior to the shooting, and look at what, if any, information sharing between schools, law enforcement, government, and medical treatment institutions occurred. The shooter was a current student in which the motive for the shooting was because another homosexual student's advances angered the shooter. At the end of the case study, an analysis will address if there was a breakdown in communication between key stakeholders and if there were missed signals by the organizations involved.

### **A. BACKGROUND**

Larry King was a 15-year-old high school student at E. O. Green High School in Oxnard, California. He was an eighth grader at the school and had started to be open with his homosexuality, including incorporating feminine items in his clothing at school. In the weeks prior to the shooting, King had been wearing women's high heel shoes and makeup. His outward homosexual expression caused the other male students at the school to taunt King with homosexual slurs. The other students also tripped King or avoided contact with him.<sup>110</sup> Brandon McInerney was another 14-year-old student who attended Green Junior High School with King and fatally shot him.<sup>111</sup>

On February 12, 2008, McInerney went to school in the morning. He returned home and retrieved his father's loaded .22-caliber revolver. McInerney concealed the firearm in a towel and stuffed it in his backpack and returned to school. Once at school he retrieved and stuffed the towel-wrapped gun in his pants. McInerney returned to class and took his seat directly behind King. After McInerney heard King tell a girl he had changed

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<sup>110</sup> Catherine Saillant, "CALIFORNIA: Tension High before Slaying: Friend Says Teen Was 'Embarrassed and Mad' After Gay Boy Teased Him in School," *Los Angeles Times*, July 8, 2011, Los Angeles edition, AA.3.

<sup>111</sup> Catherine Saillant, "1,000 Gather in Tribute to Slain Oxnard Teen: A March Organized by Students Focuses on Tolerance in the Wake of the Fatal Shooting of an Openly Gay Boy," *Los Angeles Times*, February 17, 2008, Los Angeles edition, B.3.

his name to Leticia, McInerney took out the gun and shot King twice in the head and fled.<sup>112</sup>

Immediately after the shooting, McInerney was apprehended by Oxnard Police officers. At the time of the arrest, McInerney apologized to the officers for shooting King. McInerney had previously told other students that he was going to kill King, and solicited other students to jump and stab King. None of the students McInerney solicited reported the threats because they did not take him seriously. After the shooting, investigators found additional weapons in an unlocked closet in McInerney's home. In a bedroom McInerney shared with his brother, police found swastikas, ammunition, and an instructional DVD on "Shooting in Realistic Environments."<sup>113</sup>

Ventura County prosecutors filed murder charges as well as a hate crime allegation against McInerney for killing King. Ventura County Superior Court Judge Ken Riley heard testimony about McInerney telling other students his intent to kill King. Judge Riley found McInerney fit to be tried as an adult for his actions.<sup>114</sup> McInerney was tried, however the jury was unable to reach unanimous verdict for the crime of murder. Instead, the jury was deadlocked seven to five in favor of voluntary manslaughter. The jury unanimously rejected that the killing was a hate crime filled with white supremacist beliefs. As a result, the trial was declared a mistrial.<sup>115</sup> Instead of trying McInerney a second time, prosecutors were able to plea bargain for a 21-year sentence for second

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<sup>112</sup> Steve Chawkins, "Psychologist Says Teen 'Snapped' and Fatally Shot Student: He Testifies That Brandon McInerney Was in a Dissociative State When He Killed Classmate Larry King," *Los Angeles Times*, August 16, 2011, Los Angeles edition, AA.1.

<sup>113</sup> Catherine Saillant, "Officers Say Teen Slaying Suspect Apologized: Oxnard Police Say Brandon McInerney, Accused of Killing Larry King, Told Them, 'I'm Sorry, I Did It,'" *Los Angeles Times*, July 21, 2009, Los Angeles edition, A.4.

<sup>114</sup> Steve Chawkins, "Teen to Stand Trial in Gay Boy's Killing: Brandon McInerney, 15, Could Face 53 Years to Life if Convicted in 2008 Shooting Death at an Oxnard School," *Los Angeles Times*, July 23, 2009, Los Angeles edition, A.4.

<sup>115</sup> Catherine Saillant, "Mistrial in Killing of Gay Student: Jurors Deadlocked 7 to 5 in Favor of Voluntary Manslaughter in the Emotional Proceeding," *Los Angeles Times*, September 2, 2011, Los Angeles edition, AA.1.

degree murder and voluntary manslaughter in exchange for a guilty plea.<sup>116</sup> The Ventura County District Attorney's Office stated that McInerney would spend 21 years in prison for his crime.<sup>117</sup>

## **B. ACTIVITY PRIOR TO THE SHOOTING**

Dawn Boldrin, the teacher whose classroom McInerney shot King in, described McInerney as one that had his own family troubles and had recently let his grades slip. Boldrin described McInerney as smart, but an individual that would not do much in class; he did not even bring a pencil or paper.<sup>118</sup> In a statement of facts to the court prior to trial authored by Deputy District Attorney Maeve Fox, she described that McInerney solicited other students to beat King.<sup>119</sup>

During the court testimony, Martha Romero, a science teacher at the school testified that she had seen an altercation between McInerney and King outside her classroom the day before the shooting. Romero said two or three students were restraining McInerney, who appeared agitated. Romero later found out that King had told McInerney "I love you, baby!" as the two had passed each other in a corridor. Additional testimony at trial brought forth information that later that day after the struggle, and McInerney told a friend he was going to bring a gun to school the following day.<sup>120</sup>

One of McInerney's friends, who was identified by his first name and initial of his last name because he was a minor, Keith L., described McInerney's demeanor concerning the altercation in the corridor as embarrassed and angry. McInerney told Keith L that he was going to bring a gun to school the next day, but Keith L. did not give any credence to

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<sup>116</sup> Catherine Saillant, "Gay Teen's Killer Takes 21-Year Deal: The Youth Avoids a Retrial by Pleading Guilty to Shooting His Classmate in 2008," *Los Angeles Times*, November 22, 2011, Los Angeles edition, AA.1.

<sup>117</sup> Ian Lovett, "Youth Pleads Guilty to Killing Gay Classmate," *New York Times*, November 22, 2011, late edition (East Coast), A.22.

<sup>118</sup> Catherine Saillant, "The Region: Boy's Death Still Haunts his Teacher: On the Eve of a Pretrial Hearing in the Hate-Crime Case, She Tells of Her Long Emotional Descent," *Los Angeles Times*, July 19, 2009, Los Angeles edition, A.35.

<sup>119</sup> Catherine Saillant, "The Region: Details in Gay Student's Slaying Revealed: The Youth Accused of Shooting Classmate Had Experience with Guns and Had Made Threats, Prosecution Says," *Los Angeles Times*, February 12, 2009, Los Angeles edition, B.3.

<sup>120</sup> Saillant, "California: Slain Teen's Clothing," AA.3.

the statement and described it as a friend blowing off steam.<sup>121</sup> Another minor female student identified by her first name and initial of her last name, Stormy S., also provided testimony of her observations of incidents between McInerney and King prior to the shooting. Stormy S. was a student in a science class with both King and McInerney. She had witnessed them calling each other names on several previous occasions. On the day before the shooting, King and McInerney were at odds, clashing again. Stormy S. described that when King got up to get a drink of water, McInerney told other students at his table that he was going to do something violent to King.<sup>122</sup>

Prosecutors presented evidence that McInerney would associate with neo-Nazis and kept a notebook containing Nazi symbols and regalia. Dan Swanson, a Simi Valley police detective and specialist in neo-Nazi gangs, provided expert testimony that white supremacists can hide their true feelings and beliefs, to rebut the picture painted by the defense that McInerney had Black and Latino friends. A search of McInerney's bedroom and backpack yielded seven of Hitler's speeches and a book about the SS troopers who had been a part of Hitler's youth. Detective Swanson also provided testimony that McInerney's family was friendly with a white supremacist in the Oxnard area. That same white supremacist had allowed McInerney and his girlfriend to sleep in his apartment one or two nights prior to the fatal shooting. On the other hand, the defense painted a picture that McInerney was breaking as a result of sexual insults from King.<sup>123</sup>

### **C. THE MENTAL CONDITION OF THE SHOOTER**

Brandon McInerney had been pressured to do better in school and had a methamphetamine addict as a father. He had previously made comments in a sexual education class that he would kill any man that would try to touch him. King had asked McInerney to be his valentine on two different occasions in front of other students, which had upset McInerney. King had engaged in conversation with McInerney asking him,

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<sup>121</sup> Ibid.

<sup>122</sup> Ibid.

<sup>123</sup> Steve Chawkins, "California: Neo-Nazi Ideas Blamed in Gay Teen's Slaying; Attorneys for an Oxnard Youth Accused of Killing the Student at School Dispute the Prosecution Theory," *Los Angeles Times*, July 22, 2009.

“What’s up baby?”<sup>124</sup> During trial, McInerney’s defense expert, Psychologist Douglass Hoagland, testified that McInerney was in a dissociative state, only to be countered by the prosecutor, Maeve Fox, who provided testimony from other students that McInerney had told the other students of his intent to kill King.<sup>125</sup> During the preliminary hearing, McInerney’s defense said that McInerney had been sexually abused as a child and that he felt threatened by King.<sup>126</sup>

During the preliminary hearing, Simi Valley Police Detective Dan Swanson, an expert on white supremacists, testified about an Oxnard man who allegedly was McInerney’s neo-Nazi mentor. McInerney had demonstrated his interest in Nazi symbols, such as swastika-riddled drawings, which were found in his possession during the course of the investigation.<sup>127</sup> McInerney’s defense attorney, Robyn Bramson, depicted McInerney as an individual that came from a violent home and who decided to end his misery from sexual advances from King in a way that made sense to McInerney, by using a gun. Bramson said McInerney shot King in the heat of passion caused by the intense emotional state between him and the victim at school.<sup>128</sup> McInerney’s defense attorneys portrayed him as coming from a dysfunctional and violent home and that McInerney had reached an emotional breaking point because of King’s advances.<sup>129</sup>

#### **D. INFORMATION SHARING BETWEEN SCHOOLS, LAW ENFORCEMENT, GOVERNMENT, AND MEDICAL TREATMENT INSTITUTIONS**

Larry King’s attire at school had caused division at the school. There were students and faculty at E. O. Green Junior High that were upset with King’s feminine attire. One substitute teacher refused to allow King in class when he was dressed in

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<sup>124</sup> Chawkins, “Psychologist Says Teen ‘Snapped,’” AA.1.

<sup>125</sup> Ibid.

<sup>126</sup> Chawkins, “Teen To Stand Trial,” A.4.

<sup>127</sup> Ibid.

<sup>128</sup> Catherine Saillant, “Trial to Begin in ‘08 Slaying of Gay Student; Brandon McInerney, Now 17, Is Charged with Murder, Hate Crime in the Oxnard Shooting,” *Los Angeles Times*, July 5, 2011, Los Angeles edition, AA.1.

<sup>129</sup> Saillant, “Gay Teen’s Killer,” AA.1.

feminine attire. The school's Assistant Principal, Joy Epstein, consulted others in the school district and was informed that as long as King was wearing the school uniform and it was not disruptive or unsafe, he could accessorize his uniform in a manner he chooses. Epstein ensured that King was allowed to attend class. Another teacher, Dawn Boldrin, gave King makeup tips and gave him a prom dress, without getting permission from King's foster care guardian prior to doing so.<sup>130</sup>

School administrators had issues memos to the teachers regarding King, advising them to give King his space but to report any safety issues. During trial, teachers testified that when they reported growing tensions between King and several other boys, school administrators shunned the teachers. Two months prior to the shooting, King had been taken out of his home by authorities because of problems he was having at home. Four days prior to the shooting, King's mother, Dawn King, had approached school officials to ask for their assistance in toning down King's behavior. Dawn King was told by the school administrators that Larry King's civil rights allowed him to express his sexual identity, yet Dawn King had an instinct that something serious would happen to King for doing so.<sup>131</sup> A teacher filed a formal grievance to administrators accusing administrators of brushing off complaints by other boys that Larry King was sexually harassing them.

School administrators sent out an email to the staff stating that Larry King had the right to express his sexuality by wearing makeup on campus. Teachers were advised to teach tolerance to their students because of the issues surrounding King. An assistant principal testified that she warned Larry King that his clothing choice might make things difficult for King, but told him, "More power to you if you can get through it."<sup>132</sup> The teacher who had heard the concerns from boys who said they wanted to beat Larry King up tried to present their threats to her bosses but said she had a door slammed in her face

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<sup>130</sup> Catherine Saillant, "California: Slain Teen's Clothing Focus of Testimony; Larry King Was Permitted to Wear Women's Accessories, School Official Says," *Los Angeles Times*, July 12, 2011, Los Angeles edition, AA.3.

<sup>131</sup> Saillant, *Gay Teen's Killer*, AA.1.

<sup>132</sup> Zeke Barlow, "Former Vice Principal Says Larry King Made Sexual Remarks, Pushed Student," *Ventura County Star*, July 11, 2011.



when she went to an administrator's office.<sup>133</sup> Teachers also testified in court that they felt powerless to defuse the growing tensions between McInerney and King because they felt they could not intervene, based on a memo administrators sent out stating that King was to be left alone.<sup>134</sup> Dawn King had approached school administrators to ask them to intervene and stop her son's inclination to act out for attention but she was turned down.<sup>135</sup>

The school's decision not to intervene became an important theme during the trial and jurors cited it as one of several reasons they were unable to convict McInerney of the first-degree murder charge.<sup>136</sup> Regardless, school administrators said they would respond the same way if it were to happen again.<sup>137</sup> Leaders of the Hueneme Elementary School District, which operates E. O. Green and 10 other schools, stated they had no plans to make policy changes because of the shooting.<sup>138</sup>

Oxnard Police Chief, John Crombach, stated that after the shooting several students told police they heard comments, statements and threats that were made but that they did not take the communication seriously. Chief Crombach said there was no evidence that the communication was reported to school officials.<sup>139</sup>

Deputy Public Defender William Quest blamed the school for not aggressively intervening to dissipate the tensions that were brewing between King and McInerney. Quest felt that the school administration downplayed the tensions in favor of allowing

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<sup>133</sup> Sandy Banks, "Lessons from a Boy's Killing; Despite Mistrial, This Much We Know: Young Teens Need Guidance," *Los Angeles Times*, September 6, 2011, Los Angeles edition, A.2.

<sup>134</sup> Catherine Saillant, "Oxnard School's Handling of Gay Student's Behavior Comes under Scrutiny," *Los Angeles Times*, August 11, 2011, Los Angeles edition.

<sup>135</sup> Catherine Saillant, "A School's Balancing Act; Officials See no Need to Alter Policies after Gay Student's Killing," *Los Angeles Times*, December 19, 2011, Los Angeles edition. AA.1.

<sup>136</sup> Ibid.

<sup>137</sup> Ibid.

<sup>138</sup> Ibid.

<sup>139</sup> Catherine Saillant, "Shooting Sparks Call for Changes: At a Meeting on an Oxnard Campus, Parents Ask Why the Slaying of a Student in a Classroom Wasn't Prevented," *Los Angeles Times*, February 20, 2008, Los Angeles edition, B.1.

King to express his sexuality.<sup>140</sup> Quest also said that verbal confrontations between several male student and King over King's self-proclaimed homosexuality had been rising over time. The confrontations were to the point that teachers were repulsed by school administrators' failure to take action regarding the situation.<sup>141</sup> Several teachers took the stand in court and testified that they reported incidents involving King to administrators. Assistant Principal Joy Epstein was criticized for giving more attention in protecting King's civil rights than in acknowledging that King's dress and behavior were causing problems. Epstein testified for the prosecution and denied that anyone on the campus relayed concerns about King's safety before the shooting.<sup>142</sup> However, School Superintendent Jerry Dannenberg strongly disagreed that the allegations that the school administrators did not know how to handle the situation. Dannenberg said that school officials definitely were aware of what was going on with King and McInterney, and they were dealing with the situation appropriately.<sup>143</sup>

## **E. ANALYSIS**

Like other shootings, the Green Junior High Shooting also had indications of violence. The other students were aware of threats of future violence made by McInerney about King. In addition, the teachers had witnessed confrontations between McInerney and King. Furthermore, the staff had reported tensions between King and other students. Unfortunately, the school did not have a mandatory violence reporting policy, and the students that were aware of the threats, minimized them internally. Additionally, law enforcement was not aware of the threats and the confrontations on school campus. Anytime there are tensions among groups on a campus, a law enforcement presence on campus enables observation and interaction.

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<sup>140</sup> Catherine Saillant, "School Blamed in Killing of Gay Student," *Los Angeles Times* [Los Angeles, Calif] May 8, 2008: B.4.

<sup>141</sup> *Ibid.*, B.1.

<sup>142</sup> Catherine Saillant, "School's Handling of Gay Student Questioned at Trial: Teachers Tell Jury That Administrators Ignored Warnings That Larry King's Actions Were Angering Other Teens," *Los Angeles Times*, August 11, 2011, Los Angeles edition, A.1.

<sup>143</sup> Saillant, "School Blamed," B.1.

It seems from the court testimony that the administrators knew about the tensions that were brewing, yet did not act upon them. Confrontations start out with tensions, and when tensions are not quelled, they can lead to increasing levels of violence if there is no intervention. The school district is not forward thinking at all as testimony from one of their top officials indicated they would not make any policy changes on how the school handled the situation.<sup>144</sup> There are necessary policy changes, such as reporting disturbances and confrontational incidents to law enforcement, asking law enforcement to have a presence on the school campuses, and bringing in counselors to address issues regarding tensions between groups.

There is a national-level working group of law enforcement officials that recognize that overcoming the barriers that impede information and intelligence sharing is a continuous endeavor that will require a firm commitment by all stakeholders. Had comprehensive information sharing strategies as affirmed in the National Criminal Intelligence Sharing Plan been implemented in the school system, it may have prevented a shooting of this sort.<sup>145</sup> Reporting the confrontations that occurred between McInerney to law enforcement could have led to the officers inquiring further, about McInerney, weapons, threats, intentions, and thoughts. Later in the trial, a police detective testified that McInerney has ties with white supremacist individuals, and white supremacist ideals are those that oppose homosexuality. While reporting incidents may not stop all school shooting violence, it at least gives an opportunity for school officials and law enforcement to collaborate in an effort to stop incidents “left of boom.”<sup>146</sup>

The following chapter is a case study on the Beslan School shooting that occurred in Odessa, Russia. It is different in a sense that it was a large group of terrorists attacking the school; however, some of the terrorists were former students at the school. Of great

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<sup>144</sup> Saillant, “A School’s Balancing Act,” AA.1.

<sup>145</sup> U.S. Department of Justice, *The National Criminal Intelligence Sharing Plan* (Washington, DC: U.S. Department of Justice, 2003).

<sup>146</sup> Paul Smith, “United Kingdom, Comparative Government” class lecture, Naval Postgraduate School, April 11, 2013.

significance in this case study is the fact that the Russian intelligence community had very strong signals that an attack against a school was going to occur, yet the information was not assertively distributed to the community.

## **V. BESLAN SCHOOL SHOOTING**

The Beslan School shooting case study will provide a background, describe the mental condition of the shooter, explain activities prior to the shooting, and look at what, if any, information sharing between schools, law enforcement, government, and medical treatment institutions occurred. This case study differs from the previous case studies in two ways. First, it happened outside the United States. Second, it was committed by a group of terrorists trying to bring about political change. Most of the information for this case study came from publication *Anatomy of a Terrorist Attack: Terror at Beslan: A Chronicle of On-Going Tragedy and a Government's Failed Response*.<sup>147</sup> At the end of the case study, there will be an analysis to address whether there was a breakdown in communication between key stakeholders and if there were missed signals by the organizations involved.

### **A. BACKGROUND**

On September 1, 2004, upwards of 50 Chechen terrorists invaded a school compound in Beslan, Russia. This was the first day of the school year, and in this area, it is a tradition that parents accompany their children to school and meet and greet the teachers with gifts. The school was a compound that housed kindergarten thru the eleventh grade.<sup>148</sup> The terrorist group was comprised of almost all men, with the exception of two women. The ethnic compositions of the terrorists were mostly Arabs, Chechens, and Russians. The terrorists were armed with automatic weapons, rifles, grenades, suicide vests, gas masks, and night vision goggles. They herded approximately 1200 students and parents into the gym, taking them hostage. As the siege was underway, there was a security officer and a police officer with a sidearm that attempted to intervene, but the terrorists killed both. Initially, the hostages were separated by gender,

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<sup>147</sup> Steve Banovac, Peter Dillon, Matthew Hennessy, Ronald Idoko, Christine Patterson, Augustine Paul, Ian Sonneborn, Christina Steve, and Kate Stubbe, *Anatomy of a Terrorist Attack: Terror at Beslan: A Chronicle of On-Going Tragedy and a Government's Failed Response* (Pittsburgh, PA: Matthew B. Ridgeway Center, University of Pittsburgh, 2007).

<sup>148</sup> John Giduck, *Terror at Beslan: A Russian Tragedy with Lessons for America's Schools* (Bailey, CO: Archangel Group, 2005).

and several male hostages were immediately killed to reduce the risk of the terrorists being overpowered.<sup>149</sup> While in the gym, the hostage takers killed individuals to make examples out of them to others and they raped girls in front of others.

This attack was clearly planned. Furthermore, one of the attackers was previously a student at the school, and a perpetrator was found having the floor plan of the school on his person.<sup>150</sup>

The Russian police response involved several agencies, and there was confusion as to who was in charge of the incident. This was despite a recent reorganization where authority in hostage situations was regionalized and had become the responsibility of the Ministry of Internal Affairs. The response was so disjointed that decision makers from organizations were not included as plans were dialogued. Ultimately, President Putin ordered that the Federal Security Service (FSB) be in charge of the operation. The breakdown of incident command led to other consequences, such as family members of the hostages swarming the school in an effort to save their loved ones. The tactics and weapons used by the Russians included flamethrowers, snipers, and tanks munitions, which were attributed to the deaths of some of the hostages. Some of deaths and injuries were attributed to the building pieces that collapsed on the hostages, injuring and killing them.<sup>151</sup>

## **B. THE MENTAL CONDITION OF THE SHOOTERS**

The shooters in Beslan were Chechen terrorists inclusive of Arabs and Russians. Their motive for attacking the school taking the students, staff, and parents was terrorism.

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<sup>149</sup> Banovac et al., *Anatomy of a Terrorist Attack*.

<sup>150</sup> Ibid

<sup>151</sup> Ibid.

In addition there was a psychological impact of terrorism to a community.<sup>152</sup> These terrorists committed their actions against innocent children in an effort to bring about political change in Russia.<sup>153</sup>

### **C. ACTIVITY PRIOR TO THE SHOOTING**

Russian intelligence sources had information approximately eight days prior to the Beslan incident that an attack in the region was going to occur, but they did not know exactly where. On August 18, 2004 (two weeks before the attacks), the Ministry of Internal (MVD) affairs confirmed an attack was being planned and communicated such to the police organizations in the area. On August 21 and August 31, 2004, the MVD issued orders to the security services in the area to increase security at the local schools during the first day of school, September 1, 2004. The local community in Beslan was aware that rebels had penetrated the area and community members that were driving had been stopped and their vehicles had been searched. This information came out in testimony after the incident, and the same individual also testified that there was a lack of police presence during the opening day at the school.<sup>154</sup>

On the morning of the attack, additional information came from a suspect, arrested on unrelated charges federal authorities that a school was going to be seized. This important information was not communicated to the local police, and there was a lack of police presence around the school. The school had not been informed regarding any of the threats—not those known weeks before the attacks and not the information obtained during the day of the siege.<sup>155</sup> According to report to the Russian Parliament, only one local, female, unarmed, police officer was placed at the school.<sup>156</sup> That police

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<sup>152</sup> Bruce Bonger, Lisa M. Brown, Larry E. Beutler, James N. Breckenridge, and Philip G. Zimbardo, eds. *Psychology of Terrorism* (Oxford: Oxford University Press, 2007).

<sup>153</sup> Henry Plater-Zyberk, *Beslan-Lessons Learned?* (Shrivenham, England: Conflict Studies Research Centre, Defence Academy of the United Kingdom, 2004).

<sup>154</sup> Banovac et al., *Anatomy of a Terrorist Attack*.

<sup>155</sup> Ibid.

<sup>156</sup> Ibid.

officer was taken hostage by the terrorists. The report also criticized the disorganized effort, misuses of tactics, and the lack of command and control of the incident.<sup>157</sup>

#### **D. INFORMATION SHARING BETWEEN SCHOOLS, LAW ENFORCEMENT, GOVERNMENT, AND MEDICAL TREATMENT INSTITUTIONS**

Beslan is a prime example of a lack of communication between the stakeholders involved. As previously stated, the police knew of potential attacks and they did not inform the schools.<sup>158</sup>

#### **E. ANALYSIS**

The authorities involved in the Beslan incident received criticism as to how it was handled. The criticism is appropriate given the way the entire incident was handled: the breakdown in communication between Russian intelligence sources and law enforcement, the lack of prevention efforts by the police, failure to notify the schools regarding threats of a possible attack, and the lack of appropriate operational tactics during the event.<sup>159</sup> What was worthy of recognition was the extended psychological treatment programs offered by the Russian government for those students and family members involved in the incident. While both prevention and response tactics are important, prevention effort should be given primary attention. Prevention is possible through collaboration between schools and law enforcement.

Russian intelligence authorities had received information regarding possible attacks and communicated the threat to local law enforcement, but they failed to notify the schools.<sup>160</sup> Even worse, the communication within the Russian intelligence

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<sup>157</sup> Peter Finn, "New Report Puts Blame on Local Officials in Beslan Siege," *The Washington Post*, December 29, 2005, <http://www.washingtonpost.com/wp-dyn/content/article/2005/12/28/AR2005122800194.html>.

<sup>158</sup> Banovac et al., *Anatomy of a Terrorist Attack*.

<sup>159</sup> Michael McDaniel and Cali Mortenson Ellis, "The Beslan Hostage Crisis: A Case Study for Emergency Responders," *Journal of Applied Security Research*, 4, (2009): 21–35.

<sup>160</sup> Banovac et al., *Anatomy of a Terrorist Attack*.



community had strong signals of the planned attacks. A preliminary dissemination of information was provided to the police, but Russian intelligence did not maintain a vigilant effort to keep the police updated.

This proved to be a fatal error as the Beslan incident unfolded. The information and intelligence that should have been passed to the police would be needed by the schools in Beslan. The schools could have then planned with the police on what message to send out to the students and parents. Had the schools had communication with the police, an awareness and warning messages could have been disseminated to the community and parents. The schools could have increased security on campus, requested armed police officers to be present, and the staff and administrators could have had a heightened sense of situational awareness. The uniqueness of this particular case is only centered on the fact that it happened abroad. However, the theme that this case has in common with the previous U.S. school shootings case studies described above is the lack of information sharing between the stakeholders. The following chapter will discuss the comparisons of the case studies.

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## **VI. COMPARISONS**

The case studies of the four schools shootings, Virginia Tech, Sandy Hook, Green Junior High and Beslan, have similarities and differences. These four shootings occurred after the Columbine High School shooting and in all four of them resulted in a loss of life. The Green Junior High School shooting had one student life lost, while the Sandy Hook and Virginia Tech shootings had dozens of lives lost, including students and teachers. The Beslan School shooting had over 300 lives lost, including students, children, law enforcement, paramedics, security guards, and parents. All of these incidents had a huge impact on the surviving students, parents, teachers, community, and law enforcement. Tragically, in all of the shootings, all of the stakeholders involved in these incidents failed to synthesize all of the information in the circumstances.

All four incidents involved planning on the part of the shooters. For example, in the Virginia Tech incident, Cho had purchased weapons and ammunition, practiced chaining the schools doors shut, conducted a practice run, and made a manifesto video. In the Sandy Hook incident, Lanza visited the school the day prior. He armed himself with weapons and dressed in military style clothing. In addition, he murdered his mother before heading to the school and committing the murders there. In Beslan, the attackers had gone to the school and concealed weapons so they could have them available once they infiltrated the school. Finally, in the E. O. Green shooting, McInerney went home and retrieved a weapon, then came back and shot the victim

Both the Beslan shooting and the Sandy Hook shootings were external threats, meaning that perpetrators were not current students, but importantly, both these incidents involved shooters that had previously attended the schools they entered and committed the shootings. Beslan's shooters were heavily armed terrorists with machine guns and bombs, while Sandy Hook was a sole shooter armed with semi-automatic handguns and a military style Bushmaster assault rifle. In both of these shootings, the shooters defeated the school security systems. Lanza shot through the locked doors and made his way into the school. In Beslan, a security guard and a police officer with a sidearm were killed by the shooters upon them advancing on the school.

The Virginia Tech and the Green Junior High School shootings were internal threats since the shooters were students enrolled in school at the time they committed the shootings. In addition, both Cho and McInerney had displayed signs of aggression and instability while in the school environment. For example, Cho had displayed insecurities upon first entering Virginia Tech as a student; he had issues with his roommates, harassed other students, displayed murderous and suicidal thoughts in his papers, had psychological counseling, was committed for a psychiatric evaluation for being a danger to self and others, and had gotten in arguments with professors. McInerney had been involved in confrontations and had made threats; he had recruited other students to assault King, and said he was going to bring a gun to school.

In Beslan, Sandy Hook, and Virginia Tech, the shooters committed suicide before law enforcement could take them into custody. These incidents happened within minutes, and minutes matter in an active shooter situation. The only exception was the Beslan shooting where terrorists took over the school and held hostages in a three-day siege. The shooter in the Green Junior High incident was apprehended for the shooting immediately by Oxnard police officers; the shooter was later tried in a court of law and sentenced to prison after a plea bargain.

In all of the case studies, there were signs of concern that were either ignored, or not synthesized to the point where information sharing between the schools and law enforcement, and vice versa, should have occurred. In Virginia Tech, various school departments picked up on Cho's actions. Although there were reports of Cho's conduct to the school and law enforcement, the two entities had a disconnection even when they were operating under the same umbrella. For example, at Virginia Tech, law enforcement is an integral component of the school. In Sandy Hook, the shooter had caused a disturbance at the school the day prior. With school shootings occurring year after year in different parts of the country and the world, any type of disturbance should have been reported.

With Green Jr. High shooting, there were tensions between students on campus. Teachers interpreted those tensions leading to something serious in the future, yet law enforcement was not notified. At a minimum, there could have been a uniform presence

on campus before school, after school, as well as break and lunch time. In Beslan, the failure to communicate intelligence information regarding threats to the schools rests on the law enforcement side. Law enforcement authorities did not effectively communicate the threat to the school, and the school did not have any advance warning that something might happen in Beslan. It is the lack of communication, failure of communication, and the inability to synthesize the totality of the situations in these case studies that support the recommendations addressed later in the paper; specifically, the sharing of information as a them between law enforcement and the schools and vice versa.

The following chapter will describe recommendations to the school and law enforcement community. There needs to be changes in the organizational culture for both law enforcement and school districts. These changes need to occur in the area of information sharing and collaboration between the two organizations.

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## **VII. RECOMMENDATIONS**

### **A. IMPROVEMENTS NEEDED TO THE PROCESS-ADVANCED PLANNING**

There are a number of lessons to be learned from these case studies. Two important lessons learned from the attackers are that they talk about their plans and that they make plans.<sup>161</sup> If the shooters talk about their plans, then the school administrators, law enforcement personnel, paramedics, medical staff, parents, and community members should also be talking about and making their plans should a shooting tragedy might occur. It was evident in the Beslan siege, the Sandy Hook Elementary shooting, E. O. Green Junior High shooting, and the Virginia Tech shooting that the shooters made plans to commit their acts. Beslan was a coordinated terror attack on the school, the Sandy Hook and Virginia Tech shooters had prepared themselves with assault rifles and multiple handguns as well as additional ammunition, and the Green Junior High shooter had stated he was going to bring a gun to school and he did just that. The planning between law enforcement and the schools needs to be more intense than the shooters.

U.S. jurisdictions have an adequate system of distributing intelligence and information thru regional task forces and local law enforcement distribution channels. Early collaboration and information sharing with the schools regarding threats is important. Examples would be receiving information from fusion centers, mining of social media sites by law enforcement, and/or from threats originating inside of the schools. The goal is to include school officials in the dissemination of the information early on after receiving it from the fusion centers and law enforcement agencies. This will allow for dialogue between law enforcement and the school administrators and in turn will lead to an analysis of vulnerabilities, both at the school facilities and the response capabilities. Police management in the United States have altered policy related

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<sup>161</sup> U.S. Secret Service, "Preventing School Shootings."

to school shootings and now send reminders to patrol personnel asking officers to remain visible around schools following school shootings.<sup>162</sup>

The See Something Say Something Campaign<sup>163</sup> should be used as a template for increasing situational awareness of students, parents, teachers, administrators on school campuses, and law enforcement. Law enforcement needs to use available software to mine social media sites to uncover conversations by individuals regarding school shootings. This information should then be shared with school officials, who could provide additional information regarding the student or students in question. Similarly, schools need to provide information they come to learn regarding aggressive behavior, bullying, fighting, and threats with law enforcement. The intent would be to create a cycle of sharing information, evaluating, and conducting assessment as to the potential of violence on campus. The media, forums, newsletters, and informational fliers distributed to families in the school district can be used to create the campaign of awareness and reporting. While it will come with a cost to print and distribute fliers, the cost would be minimal as compared to a response to an incident, and incident costs increase due to negligence suits on behalf of the injured or killed. While the prevention component is extremely important, we will not be able to prevent 100 percent of school shootings in the future. As such, tactical strategic response procedures still need to be considered.

The tactics used by the Russians showed there was a lack of communication between law enforcement agencies on scene; however, no incident commander was preliminary established. Nor was there a safety perimeter established to keep family members from intervening in the operation, and there was use of heavy artillery by the Russian forces on the school. The Russian's were also criticized for not initiating negotiations with the Chechen leader, Mashkadov, known for planning the siege.<sup>164</sup> This is in contrast to law enforcement practices in the United States, where secure perimeters

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<sup>162</sup> Theresa Goldman, "90 Day Response Protocol for Calls for Service at Schools," (internal communication, Glendale Police Department, Glendale, CA, January 4, 2013).

<sup>163</sup> U.S. Department of Homeland Security, "If You See Something Say Something Campaign," last updated July 2010, <http://www.dhs.gov/if-you-see-something-say-something%E2%84%A2-campaign>.

<sup>164</sup> Paul QuinJudge, "Dark Memories One Year on, the Horror of the School Siege Still Haunts Beslan—and Russia," *Time International*, September 5, 2005, Atlantic edition, 22.



are established and an incident commander is designated early on. Additionally, a command post is established where decision makers are all present. In Beslan, the parents and family members attempted to save their children and loved ones, which created the unintended consequence of hindering the operation.

Advance planning and scouting of command post locations, media staging, parent staging locations,, ingress and egress of traffic, and mutual aid response routes with input from the schools is necessary. This would be further broken down in the plan for emergency responder vehicles consisting of fire trucks, fire engines, ambulances, vehicles from mutual aid agencies, and other equipment such as S.W.A.T. equipment trucks, command post vehicles, and rescue vehicles. Advance scouting and planning would also address the logistical component in a time of calmness, allowing for dynamic decision making to occur in resolving the incident at hand. If the first responders cannot get to the scene quickly, it increases the chances of additional people becoming victims; in an active shooter situation—time is off the essence.

Advanced planning related to school shootings enables individuals to know their roles and responsibilities before a school shooting does occur. Plans are worthless if they are not put into place and practiced, and schools would be negligent for not having a plan. The Killology Research group advocates plans for law enforcement and schools districts to have in their plans sections that address the reporting of the incident, law enforcement response, roles of school staff, knowing the layout of the school, instructions to the students during an event, evacuations, lock downs, and incorporating the fire department as a resource.<sup>165</sup> The importance of schools having a crisis plan is displayed in Ohio's Senate Bill 1 that starting in 1999, made it mandatory for every school district in the state to have a crisis plan.<sup>166</sup>

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<sup>165</sup> Dave Grossman, "School Shooting Contingency Plans & Considerations," 2000, Killology Research Group, accessed October 5, 2013, [http://www.killology.com/school\\_notes\\_plans.htm](http://www.killology.com/school_notes_plans.htm).

<sup>166</sup> Marc Dann, "Policy Analysis on School Safety," accessed July 18, 2013, <http://ohiocollaborative.org/downloads/policy-analysis-on-school-safety.pdf>.

## 1. Information Sharing

A one size fits all solution would be difficult to achieve; however, combining concepts from government, schools, and law enforcement in the area of preventing school shootings can induce collaboration between them. For example, New York, the Safe Schools against Violence in Education (SAVE) Act was passed and signed into law to address issues of school safety and violence prevention. The law amended various New York state laws and directed courts to provide schools with notification of criminal and juvenile delinquency adjudications against students.<sup>167</sup> Here, the government of New York created a system where schools would receive information on their students that they otherwise would have not received. For example, students involved in felonious activities after school hours and away from school campuses could go to school the day after and the school officials would never be aware that the students were involved in criminal conduct. Students could also navigate through the entire criminal justice system without school administrators being aware.

If school administrators are made aware of criminal conduct away from school committed by the students, the schools can monitor the students during school hours. By monitoring, the focus would be evaluative and rehabilitative. School can engage the professional services of school counselors to determine if the students would pose risks of committing violence, such as school shooting, on campus. The goal for juvenile offenders in the criminal justice system is to rehabilitate, and involving the school system could enhance that process.<sup>168</sup> In the Virginia Tech case study, it became evident that the school was aware of Cho's conduct and so was the campus police department; however, there was a lack of information sharing that led to the failure to synthesize.

From the educational institutions side of preventing school violence, Arizona State University has a mandatory reporting policy for students. The policy, in relevant

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<sup>167</sup> State Education Department and University of the State of New York, *Safe Schools against Violence in Education Act Report to the Governor and Legislator* (Albany, NY: State Education Department and University of the State of New York, 2004), [http://www.p12.nysed.gov/irs/school\\_safety/2013/2004\\_SAVE\\_Report.pdf](http://www.p12.nysed.gov/irs/school_safety/2013/2004_SAVE_Report.pdf).

<sup>168</sup> California Department of Corrections and Rehabilitation, "Division of Juvenile Justice," last modified 2013, accessed June 4, 2013, [http://www.cdcr.ca.gov/Juvenile\\_Justice/](http://www.cdcr.ca.gov/Juvenile_Justice/).

part, reads, “Reporting violations and suspected violations of Handling Disruptive, Threatening, or Violent Individuals on Campus, to ASU Police, the Dean of Students office, and other appropriate offices is MANDATORY.”<sup>169</sup> This type of policy can be instituted at all school levels. From the earliest years in an educational environment, students experience bullying and fighting. If this type of mandatory reporting policy is instituted starting in kindergarten, it would condition students to report misconduct and counter reservations of being labeled as a snitch. One area where mandated reporting is in place is with domestic violence incidents. Studies in domestic violence reporting have shown that a majority of women that were abused favored a mandatory reporting scenario; they favored that emergency room physician’s report the occurrence to the police. In the same study, a majority of emergency room treating physicians believed that mandatory reporting policies to the police can increase the recognition and responsiveness to domestic violence, as well as improve and increase documentation and collection of statistics for those types of incidents.<sup>170</sup> Something similar should be put in place for incidents of violence by students.

Since states already have mandatory reporting requirements for teachers to report suspected child abuse to law enforcement and to the department of children’s services, laws can be amended to include mandatory reporting of violence on campus. Some districts may be against this as it may taint the school as being unsafe or unruly, but it is better to know what is occurring on campus and address the issue, rather than hide the facts and make a potential problem worse. According to the United States Department of Justice *Reporting School Violence* legal bulletin, reporting school violence to law enforcement provides the benefit of restoring school safety.<sup>171</sup> Having a safe campus is a benefit for all the stakeholders: students, school officials, parents, law enforcement, and the community.

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<sup>169</sup> “Arizona State University Policy STA Policy 104–2, Critical Incident Response Guidelines,” Arizona State University, accessed July 18, 2013, <http://www.asu.edu/studentaffairs/crisis/threats.htm>.

<sup>170</sup> Michael A. Rodriguez, Elizabeth McLoughlin, Gregory Nah, Jacquelyn C. Campbell, “Mandatory Reporting of Domestic Violence Injuries to the Police: What Do Emergency Department Patients Think?” *American Medical Association* 286, no. 5 (2001): 580–583.

<sup>171</sup> Office for Victims of Crime, U.S. Department of Justice, “Reporting School Violence” (Publication NCJ 189191), *Legal Series Bulletin* # 2, January 2002.

As schools report to law enforcement, law enforcement needs to reciprocate the reporting. Communities cannot operate in a vacuum. Besides having training on active shooters and emergency responses with the schools, law enforcement needs to improve its ability to prevent the incidents from occurring. One such way of improving the preventative measures of school shootings is to collaborate and share information with the schools regarding students that commit acts of violence away from campus. The state of Texas has set the example by enacting legislation making mandatory reporting for law enforcement to school officials involving crimes committed by students by passing the Safe Schools Act almost 20 years ago.<sup>172</sup> A requirement of the Act is for law enforcement to notify the superintendent before the next school day or within 24 hours. This requirement is a force multiplier because it allows for a multidisciplinary approach to assessing, monitoring, and preventing violence because there is more than one pair of eyes looking at the problem.

Taking examples from various states, educational institutions, and law enforcement agencies and combining their efforts creates synergy and innovative ways to address school shootings. The collective efforts between those agencies that collaborate far exceed the sums of individual entities acting alone in trying to solve a problem. With the recommendations above, it requires collaboration at many levels, starting from the individual level and rising to the organizational level, both intra and inter-disciplinary with institutions, as well as intra and inter-governmental at all levels. For things to progress, improve and move forward, it takes people to collaborate. One important component of collaboration is communication. The late Sergeant Jack Meier of the Glendale, California Police Department once said, “With communication you can build trust, and with trust you can lead!”<sup>173</sup> It is going to take communication, trust, and leadership by people to create a cycle of sharing information between schools, law enforcement, and government to prevent and reduce school shootings.

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<sup>172</sup> “Texas Safe Schools Act, Education Code, Title 2. Public Education, Subtitle G., Safe Schools, Chapter 37, Discipline; Law and Order, Subchapter A, Alternative Settings for Behavior Management,” Texas Education Agency, last modified September 2012, <http://www.tea.state.tx.us/Chapter37.html>.

<sup>173</sup> Jack Meier (Sergeant, Glendale, California Police Department), personal communication, February, 2007.

The key efforts to support information sharing necessary to reduce school shootings may be adopted by engaging three critical components: school administrators, law enforcement, and involved social peer groups, parents, and students. To start the information sharing process, schools and law enforcement can identify students that are involved in conduct that is of concern, such as committing violent crimes on and off campus, bullying, fighting, and making threats. Other individuals, such as other students, parents, teachers, and school staff, will likely know the conduct of the students involved.

To demonstrate a strong potential of information sharing to be a possibility, the Glendale Unified School District in Glendale, California recently contracted with a social media-monitoring firm, Geo Listening, to monitor 13,000 middle and high school students' postings on Facebook, YouTube, Instagram, and Twitter on issues related to cyber-bullying, truancy, vandalism, hate, harm, and substance abuse.<sup>174</sup> After the schools receive a report from the vendor, the school can contact the on campus School Resource Officer (SRO), who is employed by the police department. The SRO can then investigate the situation and report back to the school with the findings. In addition, the SRO can also request additional resources from the department to do threat assessments, conduct interviews, place the student making a threat into a psychiatric treatment facility for evaluation, seek a search warrant if probable cause arises for the student's residence, electronic devices and social media accounts, or make an arrest if necessary when a crime has been committed. To address issues of privacy, the company monitors those profiles where they are set to public, opening the profile for anyone to see. The firm has a privacy policy and cites that it complies with privacy laws.<sup>175</sup>

Where there has been information sharing between schools and law enforcement in programs such as the Community Outreach through Police in Schools program, truancy prevention and intervention programs, and Gang Resistance Education and Training program (G.R.E.A.T.), these relationships that schools and police have formed

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<sup>174</sup> Kelly Corrigan, "Glendale Is Paying Service to Monitor Students Online," *Glendale News Press*, August 24, 2013, accessed October 5, 2013, [http://articles.glendalenewspress.com/2013-08-24/news/tn-gnp-me-monitoring-20130824\\_1\\_media-posts-high-school-students-instagram](http://articles.glendalenewspress.com/2013-08-24/news/tn-gnp-me-monitoring-20130824_1_media-posts-high-school-students-instagram).

<sup>175</sup> "Geo Listening Monitoring Service Privacy Policy," Geo Listening, last updated October 10, 2013, <http://geolistening.com/privacy-policy/>.

across the United States that have been shown to exhibit with some effectiveness.<sup>176</sup> Since previous programs involving information sharing between schools and law enforcement involving other programs have shown effectiveness, modifying the context from gangs to school shootings is prudent and likely to show improvement over time.

A positive change in the paradigm shift as it relates to information sharing has been demonstrated through the creation of fusion centers at the state and local level. These fusion centers serve as a focal point for threat information sharing among public safety officials. Successes through this paradigm shift are reflected in the following fusion center success story a Fusion Center Aids in Preventing “Virginia Tech Style” attack.

In January 2008, the Illinois Statewide Terrorism and Intelligence Center (STIC) received information that a Virginia man claimed to be travelling to the University of Illinois to kill a female and her boyfriend by committing a “Virginia Tech style” shooting on the campus. The STIC, in cooperation with the Virginia Fusion Center, produced and disseminated an intelligence alert to a network of hundreds of state and local law enforcement officers nationwide within two hours of the initial notification. The Virginia State Police worked with local law enforcement and located the suspect the next day where he was detained. The FBI subsequently adopted the case and filed charges. The defendant pled guilty to five counts of transmitting in interstate commerce and communications threatening to injure the person of another. The subject was sentenced to 48 months in prison and will serve three years supervised parole.<sup>177</sup> This is an example where effective interagency collaboration and communication averted a possible school shooting.

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<sup>176</sup> Russell Wolff, *School/Police Partnerships: Best Practices and Lessons Learned*, Innovative Practices, *Charles E. Shannon Jr. Community Safety Initiative Series* (Boston, MA: Northeastern University Institute of Race and Justice, 2008).

<sup>177</sup> “Fusion Center Aids in Preventing ‘Virginia Tech Style’ Attack,” *2007–2009 Fusion Center Success Stories*, U.S. Department of Homeland Security, January 2008, accessed October 5, 2013, <http://www.dhs.gov/2007–2009-fusion-center-success-stories>.

*a. Frequent Meetings between Law Enforcement and School Officials*

In an effort to minimize potential school shootings in the future, school officials and law enforcement need to realize the importance of collaboration, specifically sharing information with each other about students as behavioral issues of students are identified and can become a threat. One way of accomplishing this is by having quarterly meetings between school officials and law enforcement representatives to establish a pattern of collaboration, communication, and trust. The U.S. Department of Education newsletter *Barriers to Collaboration*, acknowledges Dr. Larry Nocera of Glastonbury Public Schools when he describes trust as the key to interagency collaboration.<sup>178</sup> Trust is built by training together and sharing the issues that connect individuals to help bridge differences and dissolve misperceptions about others.<sup>179</sup> The prevention component of the preparedness for school shooting has been lacking, but is important, as seen in the Beslan case study, for threat information received by the government was not distributed down to the schools. Similarly, the Virginia Tech shooter had a long history of conduct that was concerning to both the university and the campus police department. This and the Green Junior High are prime examples where the importance of having periodic meetings between stakeholders to share information, confer regarding tensions, weigh alternatives, and evaluate intervention efforts is evident.

Implementing communication between school officials and law enforcement is going to be necessary to increase safety at schools. School districts that have the benefit of having a School Resource Officer on campus can share information with the school from the police department and take back the information to the police department. Those districts that do not have an on campus officer need to have a commitment at the executive levels of communication between the chief of police and superintendent share information. The report, *Fostering School-Law Enforcement*

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<sup>178</sup> REMS, "Highlights in the Field."

<sup>179</sup> Ibid.

*Partnerships*, recommends holding daily conferences for about 15 minutes between school staff and the officer responsible for the school and weekly meetings for monitoring larger school safety activities.<sup>180</sup>

## **2. Legislation**

After the Columbine School shooting, Colorado state legislators have enacted legislation to address information sharing between schools and law enforcement. Information sharing between law enforcement personnel and schools can assist with identifying potentially dangerous individuals and preventing attacks at schools. The Colorado law authorizes law enforcement to obtain school attendance and disciplinary records for students under investigation, authorized school administration to obtain records held by law enforcement agencies in the state, requires school officials to report crimes against school employees to law enforcement, and mandates that the prosecutors notify school officials when a juvenile is charged with crime or when a juvenile is convicted of a crime of violence or possession of controlled substances.<sup>181</sup> Passage of the laws is part of the solution. It is going to require interpretation of the law by legal staff, implementation of policies in the spirit of the law, and adherence to the intent of the law. Without acceptance and adherence, the full potential benefit would not be realized.

The passage of laws in other jurisdictions allowing sharing of information between schools and law enforcement will at the very least enable dialogue between the two entities. Even with the laws, there will be some individuals that misunderstand it, as was the case in the Virginia Tech shooting when there was a misunderstanding with regard to HIPAA, and as a result, psychological information regarding the perpetrator was not shared with others.<sup>182</sup> There will be others that have their own belief that

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<sup>180</sup> Anne Atkinson, *Fostering School–Law Enforcement Partnerships, Safe And Secure: Guides To Creating Safer Schools* (Portland, OR: Northwest Regional Educational Laboratory, 2002).

<sup>181</sup> U.S. Department of Homeland Security, “Lessons Learned: School Safety: Improving Information Sharing between School District and Law Enforcement Officials,” U.S. Department of Homeland Security, accessed October 12, 2013, <http://www.dps.mo.gov/homelandsecurity/safeschools/documents/Information%20Sharing%20with%20Law%20Enforcement%20Officials.pdf>.

<sup>182</sup> TriData Division System Planning Corporation, *Mass Shootings at Virginia Tech: Addendum to the Report of the Review Panel* (Arlington, VA: TriData Division System Planning Corporation, 2009).



mandatory reporting will not be effective, as in the case of mandatory child abuse laws.<sup>183</sup> As with other laws related to privacy, there are going to be challenges. From the outset, one challenge would be getting a member of the legislature to author or sponsor the bill. The process could take over a year, and then ultimately fail passage at first go around. In addition, there may be opponents for the law within legislature itself. If a law does pass, there could be critics from civil liberties organizations as well. There could be legal challenges such as injunctions, restraining orders, and lawsuits. If a law is successfully passed, then there is the process of communicating it, interpreting it, and coming up with policies related to it.

While these may seem as challenges, it will open the door to collaboration. As Colorado and other places have demonstrated, passing successful legislation possible. What a mandatory reporting model, although not the perfect solution, would at least bring momentum for some type of action; action such as law enforcement visiting the child at home and talking to parents, inquiring about firearms, notifying the schools, schools notify law enforcement, counseling services and referrals being offered and the like. As Chief Bratton said, there needs to be collaboration in order not to perish.<sup>184</sup>

The author constructed a model that may serve as example how effective collaboration amongst stakeholders would minimize the threat by sharing information in a timely manner. The recommended model would incorporate components from the legal, law enforcement, medical, and school districts would be a combining the following best practices from the various professions. For example, the New York system of schools reporting to law enforcement and the courts notifying the schools, the Texas system of law enforcement notifying the schools, the Arizona State University system of mandatory reporting if acts of violence or threats, the cross reporting between social

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<sup>183</sup> Risé Jones, Emalee G. Flaherty, Helen J. Binns, Lori Lyn Price, Eric Slora, Dianna Abney, Donna L. Harris, Katherine Kaufer Christoffel and Robert D. Sege, "Clinicians' Description of Factor Influencing Their Reporting of Suspected Child Abuse: Report of the Child Abuse Reporting Experience Study Research Group," *Pediatrics* 122, no. 3 (2008): 259–266.

<sup>184</sup> William Bratton and Zachary Tumin, *Collaborate or Perish: Reaching Across Boundaries in a Networked World* (New York: Crown Publishing, 2012).

agencies and law enforcement in California, and the appropriate usage of HIPAA would create synergy and at least concentrate resources to those individuals that need the attention “left of boom.”<sup>185</sup>

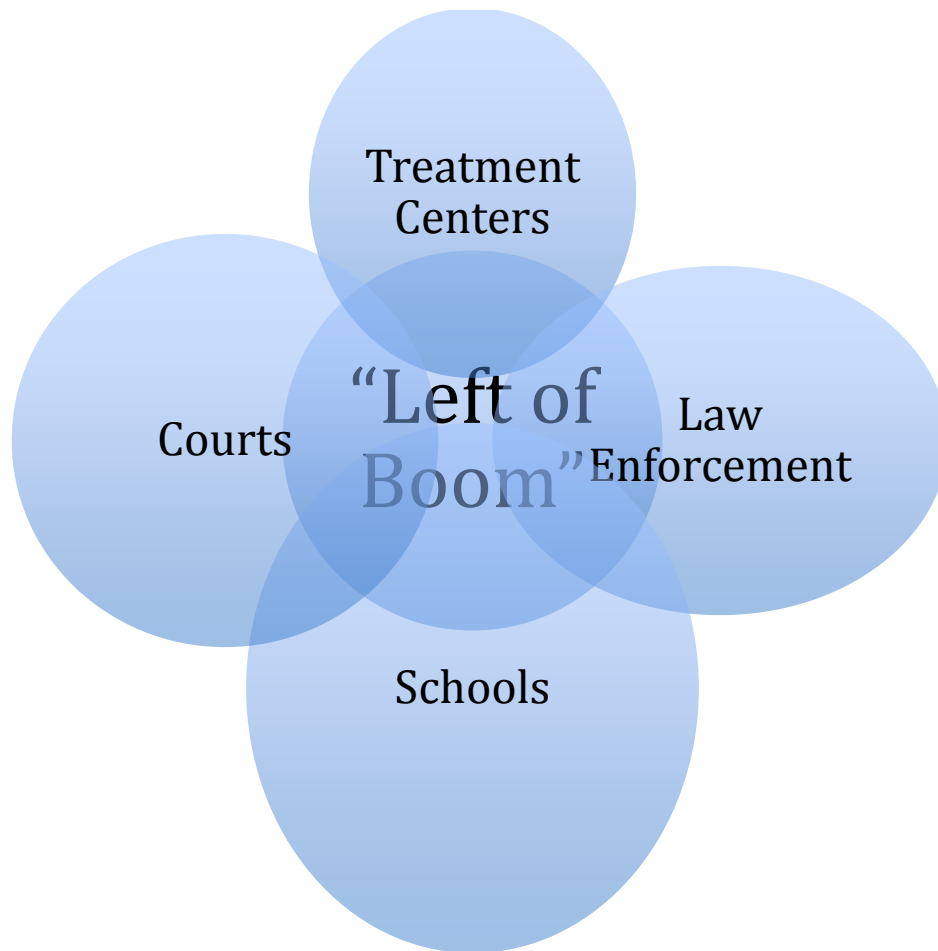


Figure 1. Collaboration among stakeholders creates synergy toward addressing those individuals that may pose a threat of committing a school shooting.

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<sup>185</sup> “Left of boom” is a term Dr. Paul Smith (Naval Postgraduate School) uses to describe for the intervention of stakeholders with those that are going through the radicalization process and becoming a terrorist. The analogy is used here in the context of those individuals that display characteristics that might lead them to commit a school shooting.

## **B. CHALLENGES IN IMPLEMENTATION**

### **1. Legal**

There are a number of challenges to implementing legal requirements to mandate collaboration between stakeholders for the prevention of shooter incidents. For example, blockades from privacy rights groups, such as the American Civil Liberties Union (ACLU), with regard to sharing information about the mental states of students would also be something to consider. Other challengers would be anti-government organizations and sovereign citizens. Another hurdle identified by this researcher is the reluctance of stakeholder organizations getting involved: schools, law enforcement, and the courts. These organizations may resist change, have lack of trust, and be unwilling to collaborate. Individuals will misinterpret the law, like the case in the Virginia Tech shooting; where due to HIPAA, information about the shooter was not shared.<sup>186</sup>

This researcher proposes one solution to overcome legal hurdles is to have legislators author a bill to allow the sharing of information about students displaying signs of aggression or committing crimes between entities like schools, medical treatment facilities, and law enforcement. One example of such sharing would be the cross-reporting between law enforcement and Departments of Children and Family services or Adult Protective Services in California. It may take some time, but in the end positive results are likely as protecting children is a priority, and there are vast consequences when children are hurt or killed as a result of a school shooting.

### **2. Change in Culture**

Diminishing budgets of first responders and school districts are detrimental to the planning component for response to school shootings. Unfortunately, training is often labeled as non-essential during conditions of economic decline for the stakeholders. Lieutenant Frazzano stated that when it is not always easy to see its immediate payoff, the training budget is usually the first to get cut in times of economic difficulty.<sup>187</sup> The significance of training for non-routine events is necessary because it ensures that

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<sup>186</sup> TriData Division System Planning Corporation, *Mass Shootings at Virginia Tech*.

<sup>187</sup> Frazzano, "Local Jurisdictions and Active Shooters."

challenges faced during crises can be more effectively navigated, possibly saving lives.<sup>188</sup> In addition, leaders need to realize the monies saved from cutting training budgets will cost them more in the future in terms of litigation, which can be costly, if a school shooting victim litigates for negligence related issues and for failure to train. The *Guide for Preventing and Responding to School Violence* describes that liability may be premised on failure to follow to current local, state, and federal school safety laws regarding school district safety policy.<sup>189</sup> This confirms the old adage of an ounce of prevention is worth a pound of cure.

The *Guide for Preventing and Responding to School Violence* identified another hindrance to the planning component is the not-in-my-backyard (NIMBY) mentality shared by all the stakeholders.<sup>190</sup> The same report mentions that since 1992, more than 40 schools have experienced multiple victim homicides in the very communities where people previously believed “it couldn’t happen here.”<sup>191</sup> Overcoming attitudes like NIMBY would encourage buy-in from leaders from organizations where they see their communities as affluent, upper class, with a low crime rate, and fast police response times, where the likelihood of school shootings is seen as a problem in someone else’s backyard. The NIMBY mentality is contagious and leads to complacency across the board; law enforcement members do not think they will have a respond to a school shooting. In addition, the school administrators believe they do not have students that would engage in a shooting on campus, and the fire departments do not think that they will have dozens of individuals that have been shot and need to be transported to a medical care facility. Likewise, the local hospitals do not think that they will have a rush of gunshot victims any more that the community does believes that such a horrific action could take place where they live. Finally, few if any, parents believe that their child would ever do such a thing as taking a gun to school and shooting other students and

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<sup>188</sup> Ibid.

<sup>189</sup> Kramen, Massey, and Timm, *Guide for Preventing*.

<sup>190</sup> Ibid.

<sup>191</sup> Ibid

teachers. This was the exact feeling of the parents that had children that were students at Sandy Hook; parents thought that a shooting could not happen in their community.<sup>192</sup>

In order to change the organizational culture, an influential and powerful person at the top of the organization, or a large group of individuals from anywhere within the organization has to decide that the old ways of doing things are not working. The leader or the group would then need to figure out a change of vision and then start to act differently. As there is a transformation in progress, they need to enlist others to act differently as well. The *National Information Sharing Strategy* is a top down approach while the *National Criminal Information Sharing Plan* is a bottom up approach initiated by state and local officials that reflects the need to integrate and collaborate at all levels of government.<sup>193</sup> The federal and local efforts to support information sharing is affirmed by the aforementioned statement by Chief Bratton regarding the critical need to be collaborate among stakeholders that institutions may not to parish.<sup>194</sup> If these new actions produce better results than before, and if the results are communicated and celebrated throughout the organization, then the new norms will form and shared values will grow. The hindrance to organizational change occurs when the established culture is fighting the changes and keeping the transformation from occurring.<sup>195</sup>

#### *a. Schools*

The prevention component starts with the administration. The weight that they place on the importance of preventing a school shooting needs to be stressed as a priority and incorporated into the organizational culture and sustained long term. By having a strong culture of prevention, it reduces the propensity to stray away from it when there is a change in staff and administration.

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<sup>192</sup> Alix Spiegel, "Shootings Leave Sandy Hook Survivors Rethinking the Odds," *NPR*, December 27, 2012, accessed September 23, 2013, <http://www.npr.org/blogs/health/2012/12/27/168152215/shootings-leave-sandy-hook-survivors-rethinking-the-odds>.

<sup>193</sup> U.S. Department of Justice, *The National Criminal Intelligence Sharing Plan*; White House, *National Strategy for Information Sharing*.

<sup>194</sup> Bratton and Zachary Tumin, *Collaborate or Parish*.

<sup>195</sup> John Kotter, "The Key to Changing Organizational Culture," *Forbes*, September 27, 2012.

School officials need to stay informed regarding current events related to school violence and shootings in other jurisdictions, especially those that have received vast media coverage. School staff needs to understand the copycat effect<sup>196</sup> as other students contemplating suicide may resort to a school shooting after extensive media coverage of a shooting elsewhere. The teachers and staff need to be trained to recognize weak signals and behaviors of students that are similar to those attackers from previous shootings. Those behaviors have been identified by the Centers for Disease Control and Prevention (CDC) as behaviors such as bullying, slapping, punching, and weapon use.<sup>197</sup> Despite all the tragedies that have occurred with school shootings, there will still be individuals that have the NIMBY belief.

Schools need to foster an environment of positive reinforcement for reporting the acts described above. This is easier said than done when it comes to adolescents. Teenagers want to be accepted by their peers and reporting another peer will likely get them labeled as a snitch. The study *Code of Silence: Students' Perceptions of School Climate and Willingness to Intervene in a Peer's Dangerous Plan* found that because of the normative tendency for adolescents to be sensitive to others' impressions, they may be hesitant to act out of fear of reacting inappropriately or being labeled a narc or a snitch.<sup>198</sup> Schools can offer rewards system for students that being forth information they have heard about from peers or seen on social media. As previously mentioned, studies have shown that those that have committed school shootings talk about their plans.<sup>199</sup> With the advance of technology and social media, the platform that some of the talk that occurs is in cyber linked to cellular phones. Studies show that 75 percent of children between the ages of 12–17 own a cell phone, and the cell phone is the favored

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<sup>196</sup> Loren Coleman, "The Copycat Effect: School Shootings and Recommendations." In *Confronting Violence in Our Schools: Planning, Response, and Recovery* (New York: Simon and Schuster/Paraview Pocket, 2004).

<sup>197</sup> Centers for Disease Control and Prevention, "School Violence Fact Sheet," 2010, <http://stacks.cdc.gov/view/cdc/5538>.

<sup>198</sup> Syvertsen, Flanagan, and Stout, *Code of Silence*.

<sup>199</sup> U.S. Secret Service. "Preventing School Shootings."

communication device among American teens.<sup>200</sup> With all the opportunities the schools have to interact with students, the schools can be in the forefront in bringing about the change in culture of students reporting incidents of concern. In turn, schools need to report what they learn to their local law enforcement agency having jurisdiction and responsibility for protecting their respective schools.

The Virginia Tech School shooting resulted in lawsuits filed by family members against the state-run school for negligence related claims. A jury trial awarded \$4 million each to two families that lost their loved ones in the massacre. The parties named as defendants in the lawsuit were the school's president and the police chief for their actions in the way they handled the situation as it unfolded. The court process distilled the defendants to only those from the state of Virginia.<sup>201</sup> Previously, there was an \$11 million settlement for 24 families, as well as a \$1.9 million disbursement into a hardship fund related to Virginia Tech. The parents of those families wanted the school to be accountable for their actions, and the verdicts spoke to the negligence of the school's response and included the police department.<sup>202</sup> The overall cost of the Virginia Tech massacre cost the taxpayers \$48.2 million.<sup>203</sup>

Like Virginia Tech, the Sandy Hook Elementary School shooting resulted in the loss of life and has also resulted in a lawsuit. A \$100 million claim by bereaved families has been filed against the Connecticut Board of Education, Department of Education, and Education Commissioner.<sup>204</sup> However, public backlash and comments posted on the attorney's social media site prompted a temporary withdrawal of the

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<sup>200</sup> Amanda Lenhart, *Teens and Mobile Phones* (Washington, DC: Pew Internet & American Life Project, Pew Research Center Publications, 2010), Pew Internet, <http://pewinternet.org/Reports/2010/Teens-and-Mobile-Phones.aspx>.

<sup>201</sup> Steve Szkotak, "Virginia Tech Shooting Lawsuit: Attorney Seeks \$4 Million For 2 Families," *Huffington Post*, March 28, 2012, accessed September 22, 2013, [http://www.huffingtonpost.com/2012/03/28/virginia-tech-shooting-la\\_1\\_n\\_1386348.html](http://www.huffingtonpost.com/2012/03/28/virginia-tech-shooting-la_1_n_1386348.html).

<sup>202</sup> Szkotak, "Virginia Tech Shooting Lawsuit."

<sup>203</sup> Anthony Green and Donna Cooper, *Auditing the Cost of the Virginia Tech Massacre, How Much We Pay When Killers Kill* (Washington, DC: Center for American Progress, 2012).

<sup>204</sup> Barbara Kellam-Scott, "Sandy Hook Lawsuit: Damages TBD, But Start with \$100 Million," December 20, 2012, Polycymic, accessed September 22, 2013, <http://www.polycymic.com/articles/21628/sandy-hook-lawsuit-damages-tbd-but-start-with-100-million>.

lawsuit, preserving rights to litigate at a later time.<sup>205</sup> Similarly, the E. O. Green Junior High School shooting has also led to legal action. The family of the victim filed a claim against the school district for failing to protect Larry King.<sup>206</sup> A lawsuit that followed the claim was eventually settled for over \$250,000 with the majority of the payout from the suspect's homeowner's insurance company, as well as the school contributing \$25,000.<sup>207</sup>

### ***b. Law Enforcement***

The fundamental premise of law enforcement is to protect life and property. When looking at this statement, one expects that in the time of a crisis law enforcement members will be called, and they will respond and handle the situation. When situations on campus turn into an active shooter incident, the schools call on law enforcement to handle the crisis. Law enforcement officers have received training on active shooters, but studies show that most of the schools shooting incidents end with intervention by someone other than a law enforcement officer. The United States Secret Service report, *Preventing School Shootings*, finds that most shooting incidents were not resolved by law enforcement intervention; more than half of the attacks ended before law enforcement responded to the scene despite law enforcement's often rapid response.<sup>208</sup> In these cases, either faculty or fellow students stopped the attacker, the attacker committed suicide, or the attacker stopped shooting on his own.<sup>209</sup>

While protection of life could be achieved by sending in the S.W.A.T. team to neutralize a shooter on campus, it starts with the planning component of protecting life. Law enforcement management needs to embrace the reality of school

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<sup>205</sup> Pauline Kim, "Backlash Prompts Newtown Survivor's Attorney to Pull Lawsuit, For Now," CNN, January 2, 2013, accessed September 22, 2013, <http://www.cnn.com/2013/01/01/justice/connecticut-sandy-hook-lawsuit/>.

<sup>206</sup> Tami Abdollah, "Family Files Claims in Oxnard School Shooting," *Los Angeles Times*, August 16, 2008. Accessed September 22, 2013, <http://articles.latimes.com/2008/aug/16/local/me-oxnard16>.

<sup>207</sup> Greg Risling, "Larry King Murder: Gay Teen's Death Illustrates Schools' Challenge," *Huffington Post*, November 24, 2011, accessed September 22, 2013, [http://www.huffingtonpost.com/2011/11/24/larry-king-murder-gay-tee\\_n\\_1112241.html](http://www.huffingtonpost.com/2011/11/24/larry-king-murder-gay-tee_n_1112241.html).

<sup>208</sup> U.S. Secret Service. "Preventing School Shootings."

<sup>209</sup> Ibid.



violence and pass on the importance down the chain of command. Just like there have been paradigm shifts in law enforcement with regard to programs such as community policing and COMPSTAT, the same philosophies can be applied to prevention of school shootings. Community policing doctrine and COMPSTAT require collaboration with other stakeholders to solve problems. Policing paradigms now include intelligence-led policing; a method of analyzing factors and allocating resources to problem areas in efforts to reduce crime. By collaborating with the schools, the same can be accomplished.

Some states have enacted legislation that requires law enforcement to report arrests of juveniles to the school district. For example, Texas state law requires peace officers to inform the school superintendent when a juvenile is arrested for felonies and certain misdemeanor crimes.<sup>210</sup> While the mandatory reporting requirement is not a one-size-fits-all solution, it is at least headed in the right direction. With legislation backing the sharing of information, with specific limitations prohibiting distribution of information to unauthorized persons, it allows for information sharing and collaboration. With collaboration, at least the wheels can be put in motion. This type of legislation also takes away the fear of sharing information under the auspices that it is strictly confidential. Confidentiality laws protect individuals in society from unauthorized dissemination by both private sector and governmental employees. At times they can be a hindrance to collaboration when individuals that the law is directed to do not fully understand it, or use it as an excuse to not collaborate. Because a law is enacted does not necessarily mean it is going to be effective; mandatory reporting laws related to domestic violence arrests eliminate police inaction.<sup>211</sup> Mandatory reporting on the public health side has shown to be effective in reducing the spread of healthcare associated infections. It brings about accountability and a level of review.<sup>212</sup>

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<sup>210</sup> Texas Safe Schools Act 2012.

<sup>211</sup> Radha Iyengar, Does the Certainty of Arrest Reduce Domestic Violence? (Cambridge, MA, National Bureau of Economic Research, 2007).

<sup>212</sup> Center for Disease Control and Association of State and Territorial Health Officials, *Policies for Eliminating Healthcare-Associated Infections: Lessons from State Stakeholder Engagement* (Atlanta, GA: Center for Disease Control, Association of State and Territorial Health Officials, 2012).

One example of law enforcement failing to collaborate with schools is the 2004 Beslan school siege. Russian intelligence sources had information approximately eight days prior that an attack in the region was going to occur, but they did not know exactly where.<sup>213</sup>

## **C. AFTERMATH CONSIDERATIONS**

### **1. Psychological Treatment**

It is important to initiate dialogue with school officials concerning a long-term psychological treatment program for those individuals involved in a tragic incident such as a school shooting as this will reduce the strain on law enforcement responding to mental health related calls in the future. A study of the Beslan incident shows that acts of terrorism negatively impact the mental health of children and families.<sup>214</sup> In the event there is an active shooter situation, there is going to be a need to deal with aftermath of the psychological impact of the students and family members involved in the incident. Research has indicated that children exposed to terrorism-induced trauma, both directly and indirectly, are at risk of developing adverse psychological symptoms afterwards.<sup>215</sup>

A study was conducted on coping strategies regarding the subsequent development of psychological distress, and emotional and behavioral problems as a result of being involved in the Beslan siege.<sup>216</sup> Specifically, children that were involved in Beslan performed significantly less well than the controls in the study in the areas of attention, memory, and visual-spatial performance.<sup>217</sup> Law enforcement and fire personnel have a mechanism to debrief the first responders with psychologists, and

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<sup>213</sup> Banovac et al., *Anatomy of a Terrorist Attack*.

<sup>214</sup> Ughetta Moscardino, Giovanna Axia, Sara Scrimm, and Fabia Capello, "Narratives from Caregivers of Children Surviving the Terrorist Attack in Beslan: Issues of Health, Culture, and Resilience," *Social Science and Medicine* 64, no. 8 (2007): 1776–1787.

<sup>215</sup> Peter Van der Velden, "Long-Term Effects of the Terrorist Attack in Beslan on Adolescent Survivors," *Journal of Clinical Psychiatry* 70, no. 6 (2009): 934–935.

<sup>216</sup> Melissa DelBello, "Mood Disorders: Assessment, Risk Factors, and Outcome," *Journal of Clinical Psychiatry* 69, no. 5 (2008): 830.

<sup>217</sup> Sara Scrimin, Ughetta Moscardino, Fabia Capello, Giovanna Axia, "Attention and Memory in School-Age Children Surviving the Terrorist Attack in Beslan, Russia," *Journal of Clinical Child and Adolescent Psychology* 38, no. 3 (2009): 402.

schools have counselors and psychologists available immediately after the incident. What Russia did in Beslan was initiate a long-term psychological treatment program to deal with the effects of the posttraumatic syndrome disorder for the students involved. The long term treatment plan was well thought out in Russia; psychologists were introduced to the local hospitals where they previously did not exist, training local doctors and teachers who are likely to come into contact with victims, and incorporating natural support systems of teachers, family, and peers.<sup>218</sup> Clinical Psychologist Sean Perrin at the Child Traumatic Stress Clinic at the Maudsley hospital in London reinforced the long-term treatment program the Russians instituted as the lack of early intervention by trained psychologists can negatively impact the victims involved.<sup>219</sup>

Although this is a governmental program in Russia, this lesson could be used in the U.S. A school psychologist in collaboration with a police psychologist should devise a treatment plan where student and family members are monitored, given psychological treatment, and referred through the health insurance network for continuous mental health treatment. This long-term approach would benefit in reducing the strain to law enforcement for responses to situations where law enforcement responds to calls involving mental health situations.<sup>220</sup> A discussion of the benefits of the long-term treatment programs need to occur between school superintendents and the head law enforcement official having jurisdiction in the area of the school prior to an incident.

The aftermath of the Beslan incident included the state sponsored psychological treatment of the survivors and the children involved. This was such a horrific event that the psychological damage not only impacted those children and parents directly involved, but impacted parents and children outside of Beslan.<sup>221</sup> The team of doctors organized a 24-hour hotline and psychologists were dispatched to morgues where families were identifying the remains of their relatives. In addition to the hostages and parents being

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<sup>218</sup> Tom Parfitt, "How Beslan's Children Are Learning to Cope," *The Lancet* 364, no. 9450, (2004): 2009–2010.

<sup>219</sup> Ibid.

<sup>220</sup> Michael Biosotti, "The Management of the Severely Mentally Ill and its Effects on Homeland Security," master's thesis, Naval Postgraduate School, 2011.

<sup>221</sup> Parfitt, "How Beslan's Children Are Learning to Cope."

affected, others included journalists, ambulance drivers, medical staff, and teachers. A local psychological treatment program was instituted in Beslan, inclusive of therapy, and a three-week rehabilitation program. The program was a component of the Federal Centre for Disaster Psychiatry, which was initially set up in 1988 after the earthquake in Spitak, Armenia. The program expanded to train natural support systems, which included peers, family, and teachers.<sup>222</sup>

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<sup>222</sup> Ibid

## VIII. CONCLUSION

School shootings have happened in the past and, unfortunately, will continue to happen in the future, placing importance on the prevention aspect alongside the appropriate tactical response to safely eliminate the threat to those on school campuses. There needs to be collaboration between schools and law enforcement on a continuous basis. Law enforcement needs to plan its tactics and responses prior to an incident taking place. During the aftermath of an incident, there needs to be long-term psychological services available to those impacted. Finally, there needs to be quarterly meetings between the schools and law enforcement to keep the issue on the forefront. School shootings have made history, and they will continue to occur. Planning and collaborations needs to continue where it exists and needs to start where it does not. Law enforcement, schools, media, first responders, and medical staff need to work together to keep their communities safe and be in a position to best handle a school attack when it occurs.

The importance is expressed in the *Report to the President on Issues Raised by the Virginia Tech Tragedy*. It states that many states and communities that have adopted emergency preparedness and violence prevention plans to address school and community violence; however, the challenge is fully implementing these programs through practice and effective communication.<sup>223</sup> Putting plans into practice is necessary to do sooner than later. Just as important as the planning component is the necessity for schools and law enforcement to share information. The failure to share information from the law enforcement component to the schools left over 300 students, parents, and teachers dead in Beslan.

The combined failure of the school and the law enforcement component within the school at Virginia Tech left 32 students and faculty dead, and the Sandy Hook shooting left 26 students and teachers dead. In the Sandy Hook incident, the shooter had been involved in an altercation with school staff the day prior to the shooting, and on the day of the shooting he targeted those he was involved in an altercation with. Since the

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<sup>223</sup> Leavitt, Spellings, and Gonzalez, *Report to the President*.

conduct of aggression, bullying, and fighting has been identified as areas for concern, schools and law enforcement should be cross-reporting incidents that come to their collective attention. When incidents are brought to each other's attention, then at the very least a decision could be made as how to proceed to conduct threat assessment, follow up investigation, and intervention "left of boom!"

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